

Chapter 15

LEGISLATION ACT (Assented to November 10, 2020)

The Commissioner, by and with the advice and consent of the Legislative Assembly, enacts as follows:

PART 1 INTERPRETATION OF LEGISLATION

Terms and definitions

Definitions

1. (1) In an enactment,

"Act" or "statute" means a law made by the Legislature under the *Nunavut Act* (Canada), including an ordinance of the Northwest Territories that is deemed to be a law of the Legislature by

- (a) section 29 of the *Nunavut Act* (Canada), or
- (b) section 76.05 of the *Nunavut Act* (Canada), as it read on April 1, 1999; (*loi*)

"adult" means a person who has attained the age of 19 years; (*adulte*)

"age of majority" means 19 years of age; (*majorité*)

"Auditor General" means the Auditor General of Canada appointed under the *Auditor General Act* (Canada); (*vérificateur général*)

"bank" has the same meaning as in the *Bank Act* (Canada); (*banque*)

"*Canadian Charter of Rights and Freedoms*" means Part I of the *Constitution Act, 1982* (Canada); (*Charte canadienne des droits et libertés*)

"Chief Legislative Counsel" means the Chief Legislative Counsel appointed under paragraph 78(1)(a); (*premier conseiller législatif*)

"Clerk of the Legislative Assembly" means the Clerk of the Legislative Assembly appointed under the *Legislative Assembly and Executive Council Act*; (*greffier de l'Assemblée législative*)

"commencement", with reference to an enactment, means the time at which the enactment comes into force; (*entrée en vigueur*)

"Commissioner" means the Commissioner of Nunavut and includes a person acting under section 10 of the *Nunavut Act* (Canada); (*commissaire*)

"Commissioner in Executive Council" means the Commissioner acting by and with the advice and consent of the Executive Council; (*commissaire en Conseil exécutif*)

"consolidated" or "consolidation", with reference to an enactment, means a version of the enactment that incorporates

- (a) amendments that have been made to it, and
- (b) corrections or changes made to it under Part 4; (*codifié* or *codification*)

"Consolidated Revenue Fund" means the Nunavut Consolidated Revenue Fund established by the *Nunavut Act* (Canada); (*Trésor*)

"contravene" includes fail to comply with; (*contravention*)

"Court of Appeal" means the Court of Appeal of Nunavut established by the *Nunavut Act* (Canada); (*Cour d'appel*)

"Criminal Code" means the *Criminal Code* (Canada); (*Code criminel*)

"deputy head" has the same meaning as in the *Public Service Act*; (*administrateur général*)

"Deputy Minister" has the same meaning as in the *Public Service Act*; (*sous-ministre*)

"Deputy Minister of Justice" means the Deputy Minister of Justice appointed under the *Department of Justice Act*; (*sous-ministre de la Justice*)

"enact" includes issue, make, establish or prescribe; (*édicter*)

"enactment" means an Act or a regulation or a portion of an Act or a regulation; (*texte législatif*)

"Executive Council" means the Executive Council of Nunavut referred to in section 60 of the *Legislative Assembly and Executive Council Act*; (*Conseil exécutif*)

"Financial Management Board" means the Financial Management Board established by the *Financial Administration Act*; (*Conseil de gestion financière*)

"Great Seal of Nunavut" means the Great Seal of Nunavut featuring the Armorial Bearings granted for Nunavut by the Governor General on March 31, 1999; (*grand sceau du Nunavut*)

"Government of Canada" means the Crown in right of Canada; (*gouvernement fédéral*)

"Governor", "Governor of Canada" or "Governor General" means the Governor General of Canada and includes the Administrator of Canada; (*gouverneur* or *gouverneur du Canada* or *gouverneur général*)

"Governor in Council" or "Governor General in Council" means the Governor General acting on the advice and consent of the Queen's Privy Council for Canada; (*gouverneur en conseil*)

"Her Majesty", "His Majesty", "the Queen", "the King", "the Crown" or "the Sovereign" means the Sovereign of the United Kingdom, Canada and other Realms and Territories, Head of the Commonwealth; (*Sa Majesté, la Reine, le Roi, la Couronne, le souverain* or *la souveraine*)

"holiday" includes

- (a) Sunday,
- (b) New Year's Day,
- (c) Good Friday,
- (d) Easter Monday,
- (e) Victoria Day,
- (f) Canada Day,
- (g) Nunavut Day,
- (h) the first Monday in August,
- (i) Labour Day,
- (j) Thanksgiving Day,
- (k) Remembrance Day,
- (l) Christmas Day,
- (m) Boxing Day,
- (n) a day designated as a general holiday by an Act in force in Nunavut or by order of the Commissioner or proclamation of the Governor General,
- (o) Monday following another holiday, other than Sunday, that falls on a Saturday or Sunday, and
- (p) Tuesday following Boxing Day, when Boxing Day falls on a Sunday; (*jour férié*)

"judge" means a judge of the Nunavut Court of Justice and includes a deputy judge, a supernumerary judge and an *ex officio* judge of that court; (*juge*)

"justice" means a justice of the peace and includes two or more justices when two or more justices act or have jurisdiction; (*juge de paix*)

"Legislative Assembly" means the Legislative Assembly of Nunavut established by the *Nunavut Act* (Canada); (*Assemblée législative*)

"Legislature" means the Commissioner acting by and with the advice and consent of the Legislative Assembly; (*Législature*)

"Management and Services Board" means the Management and Services Board established by the *Legislative Assembly and Executive Council Act*;

"medical practitioner" means a person who is entitled to practice medicine under the *Medical Profession Act*; (*médecin*)

"Minister" means a member of the Executive Council appointed as a Minister under the *Legislative Assembly and Executive Council Act* who is responsible for the enactment or its subject-matter or the department or public agency to which its context refers; (*ministre*)

"minor" means a person who has not attained the age of 19 years; (*mineur*)

"municipal by-law" means a by-law made by a municipal council under an Act; (*règlement municipal*)

"municipal council" means the council of a municipal corporation; (*conseil municipal*)

"municipality" means, depending on the context,
(a) a municipal corporation, or
(b) the geographic area of jurisdiction of a municipal corporation;
(*municipalité*)

"Nunavut Court of Justice" means the Nunavut Court of Justice established by the *Nunavut Act (Canada)*; (*Cour de justice du Nunavut*)

"Nunavut Agreement" means the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada that was ratified by the Inuit and ratified, given effect and declared valid by the *Nunavut Land Claims Agreement Act (Canada)*, which came into force on July 9, 1993, and includes amendments to that Agreement; (*Accord sur le Nunavut*)

"Nunavut Inuit" means the persons enrolled under Article 35 of the Nunavut Agreement; (*Inuit du Nunavut*)

"Nunavut Legislation website" means the website maintained by the Department of Justice for the publication of legislation and related information, or another means of electronic publication prescribed by regulation; (*site Web de la législation du Nunavut*)

"oath" or "affidavit" includes a solemn affirmation or statutory declaration, and the word "swear" when used in respect of an oath or affidavit includes the words "affirm" and "declare"; (*serment or affidavit*)

"Official Languages" has the same meaning as in the *Official Languages Act*; (*langues officielles*)

"on summary conviction" means under the provisions of the *Summary Conviction Procedures Act*; (*procédure sommaire*)

"peace officer" has the same meaning as in the *Criminal Code*; (*agent de la paix*)

"permanent resident of Canada" means a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act* (Canada); (*résident permanent du Canada*)

"prescribed" means prescribed by regulation; (*English version only*)

"province" means a province of Canada; (*province*)

"public agency" has the same meaning as in the *Financial Administration Act*; (*organisme public*)

"public officer" includes a person employed in the public service

- (a) who is authorized by or under an enactment to do or enforce the doing of an act or thing or to exercise a power, or
- (b) on whom a duty is imposed by or under an enactment;
(*fonctionnaire public*)

"public service" has the same meaning as in the *Public Service Act*; (*fonction publique*)

"publish", under Parts 2 to 8, means to make public in print or on the Nunavut Legislation website or by or through any other media; (*publier*)

"regulation" means a rule, order, regulation, proclamation, direction, tariff of costs or fees, or similar instrument, other than one referred to in subsection (2), made

- (a) under an enactment,
- (b) under the authority of the Commissioner, or
- (c) under an Act of Canada by a Minister or other public officer appointed under an enactment; (*règlement*)

"regulatory authority" means

- (a) in cases where the Commissioner in Executive Council is authorized by an enactment to make a regulation,
 - (i) the Minister responsible for the administration of the provision of an Act under which the regulation is made or proposed to be made, or
 - (ii) the Speaker, if the Legislative Assembly and its Speaker are responsible for the administration of the provision of an

- Act under which the regulation is made or proposed to be made, and
- (b) in all other cases, the person or body authorized to make a regulation; (*autorité réglementante*)

"repeal" includes revoke, cancel or rescind; (*abroger*)

"revised" or "revision", with respect to an enactment, means a version that

- (a) incorporates all amendments that have been made to the enactment that was repealed and replaced by the revised enactment,
- (b) incorporates corrections or changes made under Parts 4 or 5, and
- (c) has been
 - (i) approved under section 70, or
 - (ii) approved under section 72 and registered under section 56; (*révisé or révision*)

"Rules of the Nunavut Court of Justice" has the same meaning as in the *Judicature Act*; (*Règles de la Cour de justice du Nunavut*)

"settlement" means a settlement or a settlement corporation as defined in the *Settlements Act* or an unincorporated community; (*localité*)

"spouse" means a person who

- (a) is married to another person, or
- (b) has lived together in a conjugal relationship outside marriage with another person, if
 - (i) they have so lived for a period of at least two years, or
 - (ii) the relationship is one of some permanence and they are together the parents of a child; (*conjoint*)

"statutory declaration" or "solemn affirmation" means a declaration or affirmation made instead of an oath; (*déclaration solennelle or affirmation solennelle*)

"sureties" means sufficient sureties, and "security" means sufficient security, and where those words are used, one person is sufficient for that purpose; (*cautionnement or caution*)

"surviving spouse" means a person who, immediately before the death of another person,

- (a) was married to the deceased, or
- (b) had lived together in a conjugal relationship outside marriage with the deceased, if
 - (i) they had so lived for a period of at least two years, or
 - (ii) the relationship was one of some permanence and they were together the parents of a child; (*conjoint survivant*)

"territory", depending on the context, means Nunavut or a territory of Canada; (*territoire*)

"Territorial Printer" means the Territorial Printer appointed under subsection 80(1); (*imprimeur du territoire*)

"will" includes codicil; (*testament*)

"writing", "written" or any similar term includes words represented or reproduced by any mode of representing or reproducing words in visible form; (*écrit*)

"year" means a calendar year; (*année*)

"young person" has the same meaning as in the *Young Offenders Act*; (*adolescent*)

"Youth Court" or "youth justice court" means

- (a) the Nunavut Court of Justice, or
- (b) a justice of the peace appointed under the *Justices of the Peace Act* as youth court or youth justice court judge and designated as a Youth Court for the purposes of the *Young Offenders Act* and a youth justice court for the purposes of the *Youth Criminal Justice Act* (Canada); (*tribunal pour adolescents*)

"youth court judge" or "youth justice court judge" means

- (a) a youth court judge as defined in the *Young Offenders Act*, or
- (b) a youth justice court judge as defined in the *Youth Criminal Justice Act* (Canada). (*juge du tribunal pour adolescents*)

Exception to definition of "regulation"

- (2) In an enactment, "regulation" does not include
 - (a) an order of a court made in the course of an action; or
 - (b) an order made by a public officer or administrative tribunal in a dispute between two or more persons.

Units and symbols

- (3) In an enactment, units of measurement and their symbols have the meanings set out in
 - (a) Schedules I and II of the *Weights and Measures Act* (Canada); or
 - (b) if the units of measurement do not appear in the schedules referred to in paragraph (a), the most recent version of the International System of Units established by the International Committee for Weights and Measures.

Whole includes part

- (4) In an enactment, a reference to an Act or regulation includes a reference to a portion of the Act or regulation.

Imperative and permissive

(5) The expressions "must" and "shall" are to be interpreted as imperative and the expression "may" as permissive and empowering.

Definitions respecting municipalities and settlements

(6) The definition provisions of the *Cities, Towns and Villages Act*, *Hamlets Act* and *Settlements Act*, except for the definitions of "municipality" and "settlement", apply to all enactments relating to cities, towns, villages, hamlets and settlements respectively.

Persons

(7) In an enactment, a term referring to a person, whether it is gender-specific or gender-neutral, includes, subject to subsection (8),

- (a) an individual of any gender;
- (b) a corporation; and
- (c) another entity with legal personality.

Individuals

(8) Paragraphs (7)(b) and (c) do not apply to the terms "individual" and "natural person", and to terms of similar meaning and precision.

Members of the Law Society of Nunavut

(9) In an enactment, a reference to a barrister, solicitor, lawyer, counsel or similar appellation is a reference to a member of the Law Society of Nunavut established by the *Legal Profession Act* whose authority to practice law includes the subject-matter of the enactment.

Marriage void or voidable

(10) If two persons go through a form of marriage with each other in good faith and then live together in a conjugal relationship,

- (a) if the marriage is void, they are deemed to be married during the time they so lived together; or
- (b) if the marriage is decreed a nullity, they are deemed to be married until the judgment of nullity is granted.

References in duplicated enactments

(11) In an enactment enacted in the Northwest Territories before April 1, 1999 and duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada) or amended for Nunavut pursuant to section 76.05 of the *Nunavut Act* (Canada), as it read on that date,

- (a) a reference to the Northwest Territories, or an abbreviation such as "N.W.T." or "the Territories", is as a reference to Nunavut; and
- (b) a reference to both the provinces and Yukon, whatever the specific form of the reference, includes a reference to the Northwest Territories.

Definitions and interpretation provisions

2. Definitions and interpretation provisions in an enactment apply to the whole enactment including the provisions containing the definitions or interpretation provisions.

Defined terms

3. If a word or expression is defined in an enactment, other parts of speech and grammatical forms of the same word or expression have corresponding meanings.

Common names

4. If the name commonly applied to a country, place, body, corporation, society, officer, person, party or thing is used in an enactment, that name means the country, place, body, corporation, society, officer, person, party or thing to which the name is commonly applied, even though that name is not the formal or extended designation of it.

Lapsed enactment

5. An enactment that has expired, is no longer authorized or has otherwise ceased to have effect is deemed repealed for the purposes of this Act.

Application

Application to all enactments

6. (1) Every provision of this Part applies to every enactment, whenever enacted, unless a contrary intention appears in this Part or in another enactment.

Application to this Act

(2) For greater certainty, the provisions of this Part apply to the interpretation of this Act.

Other rules of interpretation

(3) Nothing in this Part excludes the application to an enactment of a rule of interpretation that is applicable to that enactment and not inconsistent with this Part.

Coming into force and repeal of enactments

Date of coming into force of Acts

7. (1) An Act or portion of an Act comes into force on the day or in the manner specified in the Act.

Coming into force on Assent

(2) If no day or manner of coming into force is specified in an Act, the Act or portion of the Act comes into force on the day the Act receives Assent.

Exception

(3) If a provision of an Act states that the Act or a portion of the Act is to come into force on a specified day or in a specified manner, the provision comes into force on the day the Act received Assent.

Coming-into-force order

(4) If a provision of an Act states that the Act or a portion of the Act is to come into force on a day fixed by order, an order

- (a) may apply to the coming into force of any provision of the Act or portion; and
- (b) may be issued at different times for different provisions of the Act or portion.

Date of coming into force of regulations

8. (1) A regulation exempted under section 50, or a portion of such a regulation, comes into force on the day or in the manner specified in the regulation.

Coming into force on enactment

(2) If no day or manner of coming into force is specified, a regulation exempted under section 50, or a portion of such a regulation, comes into force on the day on which it was enacted.

Effective time of coming into force of enactment

9. (1) An enactment comes into force at the beginning of the day on which it comes into force.

Effective time of repeal of enactment

(2) The repeal of an enactment takes effect at the beginning of the day of repeal.

Exercise of power before coming into force

10. A power in an enactment to enact a regulation, or to do any other thing, may be exercised before the enactment comes into force but, except as is necessary to make the enactment effective when it comes into force, the regulation enacted or thing done has no effect until the enactment comes into force.

Effect of repeal of enactment

- 11.** (1) The repeal of an enactment does not
- (a) revive an enactment that is no longer in force, or a law that no longer exists, immediately before the time the repeal takes effect;
 - (b) affect the previous operation of the repealed enactment;
 - (c) affect a right, privilege, obligation or liability that came into existence under the repealed enactment and exists immediately before the time the repeal takes effect;
 - (d) affect a contravention of the repealed enactment or a penalty, forfeiture or punishment incurred in connection with the contravention; or
 - (e) affect an investigation, proceeding or remedy in respect of

- (i) a right, privilege, obligation or liability referred to in paragraph (c), or
- (ii) a penalty, forfeiture or punishment referred to in paragraph (d).

Investigation

(2) An investigation or proceeding referred to in paragraph (1)(e) may be commenced or continued and a remedy referred to in that paragraph may be enforced as if the enactment had not been repealed.

Imposition of penalty or forfeiture

(3) Subject to paragraph 11(i) of the *Canadian Charter of Rights and Freedoms* and subsection 13(5), a penalty, forfeiture or punishment referred to in paragraph (1)(d) may be imposed as if the enactment had not been repealed.

Power of repeal and amendment

12. (1) Every Act reserves to the Legislature the power of repealing or amending it, and of revoking, restricting or modifying a power, privilege or advantage vested in or granted to a person by it.

Amendment at same session

(2) An Act may be amended or repealed by an Act enacted in the same session.

Definitions

13. (1) In this section,

"former enactment" means an enactment that has been

- (a) repealed and replaced with a new or revised enactment, or
- (b) substantially amended; (*texte législatif antérieur*)

"new enactment" means an enactment that replaces a former enactment, and includes

- (a) a substantial amendment to a former enactment, and
- (b) a revision of a former enactment. (*nouveau texte législatif*)

Person authorized under former enactment

(2) A person authorized to act under a former enactment may continue to act under the new enactment until another person is authorized to do so.

Proceeding commenced under former enactment

(3) A proceeding commenced under a former enactment must be continued under the new enactment in conformity with the procedures established by the new enactment, to the extent that doing so is practicable.

Treatment of matters under former enactment

(4) Procedures established by a new enactment must be followed, with the necessary modifications, in relation to a matter that arose under the former enactment, including

- (a) procedures for the recovery or enforcement of penalties and forfeitures incurred under the former enactment;
- (b) procedures for the enforcement of a right or privilege that exists when the new enactment comes into force; or
- (c) proceedings relating to matters that arose under the former enactment that are commenced after the repeal of the former enactment.

Reduced penalty, etc.

(5) If a penalty, forfeiture or punishment authorized under a former enactment is reduced or mitigated by the new enactment, the new enactment applies to a penalty, forfeiture or punishment imposed after the new enactment comes into force in respect of a matter that occurred under the former enactment.

Offences

(6) Subject to subsection (5), if an offence under a former enactment is substantially included in the new enactment, a person may be convicted of the offence in respect of a matter that occurred under the former enactment.

Regulations under former enactment

(7) A regulation enacted under a former enactment remains in force and is deemed to have been enacted under the new enactment to the extent it is authorized by and not inconsistent with the new enactment.

Repeal etc. of regulations under former enactment

(8) If a power to enact a regulation is conferred on a different person or body under the former and new enactments, the person or body on which the power is conferred under the new enactment has the power to repeal, amend or replace such a regulation made under the former enactment.

Bond or security under former enactment

(9) Every bond and security given under the former enactment remains in force to the extent it is consistent with the new enactment.

Use of documents

(10) Forms, schedules, stationery and other documents used under or in connection with the former enactment may continue to be used under the new enactment to the extent the use is consistent with the new enactment.

Revisions retrospective

14. (1) Provisions of a revised enactment that have the same effect as corresponding provisions of a repealed enactment operate retrospectively and prospectively and are

deemed to have been enacted when the corresponding repealed provisions came into force.

Exception – different effect in revision

(2) If a provision of a revised enactment does not have the same effect as the corresponding provision of a repealed enactment,

- (a) the provision in the revised enactment applies to all matters occurring after the coming into force of the revised enactment; and
- (b) the provision in the repealed enactment applies to all matters occurring before the coming into force of the revised enactment.

Included powers – regulations

15. A power to enact a regulation includes the power, exercisable in the same manner and subject to the same conditions, if any, to repeal or amend the regulation.

Principles of interpretation

Entire context

16. (1) The words of an Act and regulations authorized under an Act are to be read in their entire context, and in their grammatical and ordinary sense, harmoniously with the scheme of the Act, the object of the Act and the intention of the Legislature.

Enactments remedial

(2) An enactment is to be interpreted as being remedial and is to be given the fair, large and liberal interpretation that best ensures the attainment of its objectives.

Enactments apply in the present

17. An enactment is to be interpreted as applying to circumstances as they arise.

Amending enactments

18. (1) An amending enactment is to be interpreted as part of the enactment it amends.

Amending not-in-force enactments

(2) An amendment to an enactment that is not in force does not bring the enactment as amended into force.

No implication from repeal or amendment

19. (1) The repeal of an enactment, the repeal and replacement of an enactment or the amendment of an enactment is not to be interpreted to be or to involve

- (a) a declaration that the enactment was or was considered by the Legislature or other body or person by whom it was enacted to have been previously in force; or
- (b) a declaration as to the previous state of the law.

No implication from amendment

(2) The amendment of an enactment does not imply a declaration that the prior law was different.

Re-enactment in same words

(3) A revision, consolidation or amendment of an enactment, or the re-enactment of an enactment in the same words, is not to be interpreted to be or to involve an adoption of the interpretation that has by judicial decision or otherwise been placed on the language used in the enactment or on similar language.

Definition

20. (1) In this section, "section heading" means a heading that appears in an enactment immediately above or beside a provision.

Part of enactment

(2) The following are part of an enactment:

- (a) a preamble;
- (b) headings other than section headings.

Not part of an enactment

(3) The following are not part of an enactment and are to be considered to have been included editorially and for convenience of reference only:

- (a) section headings;
- (b) tables of contents;
- (c) information notes providing legislative history;
- (d) information notes providing text as an alternative to non-text content;
- (e) words in parentheses following a definition that indicate the defined term in another Official Language;
- (f) words in parentheses following a cross-reference that indicate the general subject-matter of the cross-referenced provision.

Number in specific references

21. In an enactment, words in the singular include the plural and words in the plural include the singular.

Government bound by enactments

22. All enactments are binding on the Government of Nunavut.

Aboriginal and treaty rights

23. Every enactment is to be interpreted so as to not abrogate or derogate from the existing Aboriginal and treaty rights that are recognized and affirmed under section 35 of the *Constitution Act, 1982* (Canada).

Public Acts

24. (1) Every Act is a public Act unless by express provision it is declared to be a private Act.

Effect of private Acts

(2) No provision in a private Act affects the rights of any person, including the Government of Nunavut, except only as mentioned or referred to in the private Act.

References

Definition of domestic enactment

25. (1) In this section, "domestic enactment" means an enactment of Nunavut, Canada, a province or another territory.

References to enactments of Nunavut

- (2) In an enactment or document, an enactment of Nunavut may be cited
- (a) by reference to its title; or
 - (b) in accordance with the relevant formula in the Schedule.

References to other domestic enactments

- (3) In an enactment or document, an Act of Canada, a province or other territory may be cited by reference to
- (a) its title or its short title either with or without reference to the chapter;
 - (b) the number of the chapter of the Revised Statutes or of the Statutes for the year in which the Act was passed; or
 - (c) another reference authorized under the laws of the jurisdiction of origin.

Rolling incorporation of domestic enactments

(4) A reference in an enactment to a domestic enactment is a reference to the domestic enactment as amended or to the domestic enactment that replaced it.

Same

(5) Subsection (4) applies whether the domestic enactment is amended or replaced before or after the coming into force of the enactment in which the reference to the domestic enactment appears.

Reference to repealed domestic enactment

(6) A reference in an enactment to a domestic enactment that has been repealed and not replaced is a reference to the domestic enactment as it read immediately before its repeal.

Definition of foreign enactment

26. (1) In this section, "foreign enactment" means an enactment of a jurisdiction outside Canada.

Static incorporation of foreign enactments

(2) A reference in an enactment to a foreign enactment is a reference to the foreign enactment as it read on the day on which the enactment containing the reference was enacted.

Reference to regulations

27. (1) A reference in an enactment to a regulation is a reference to a regulation made under the enactment.

Reference to Act in regulations

(2) A reference to "the Act" in a regulation is a reference to the Act under which it is made.

References to series

28. (1) A reference in an enactment to a series includes the first and last items of the series.

Reference in enactment to component parts

(2) A reference in an enactment to a Part, division, section, schedule or form is a reference to that component of the enactment in which the reference occurs.

Reference in enactment to provisions

(3) A reference in an enactment to a subsection, paragraph, subparagraph, clause or subclause is a reference to the subsection, paragraph, subparagraph, clause or subclause of the provision of the enactment in which the reference occurs.

Public officers

Appointments

29. (1) Authority under an enactment to appoint a person to an office includes the authority to

- (a) appoint the person for a fixed term or indefinitely;
- (b) provide for the appointee's remuneration;
- (c) provide for payment of the appointee's expenses;
- (d) remove or suspend the appointee;
- (e) reappoint or reinstate the person as appointee;
- (f) appoint a deputy who has the same powers as the appointee, subject to the conditions or with the limitation of powers as may be specified in the appointment; and
- (g) temporarily appoint another person to act in the office if
 - (i) the office is vacant,
 - (ii) the appointee is absent or unable to act for any reason, including illness, incapacity or a conflict of interest in respect of a matter, or

- (iii) the appointee gives prior notice of a temporary absence or a resignation, such appointment taking effect on the effective date of the temporary absence or resignation.

Acting public officer

(2) Authority under an enactment to appoint a person to an office includes the authority of the deputy head of the department or public agency that administers the enactment to temporarily designate a person employed in the public service in that department or public agency to act in the office, if the appointee is

- (a) employed in the public service; and
- (b) absent or unable to act for any reason, including illness, incapacity or a conflict of interest in respect of a matter.

Effective day of appointment

(3) Subject to subsection (4), an appointment of a person to an office may be expressed to be effective on or after the day on which the person commenced the performance of the duties of the office.

Restriction on appointment and revocation

(4) An appointment or revocation may not specify a day on which it takes effect that is more than three months before the day on which the appointment or revocation is made.

Exception – quasi-judicial office

(4.1) An appointment to or a revocation from a quasi-judicial office may not be effective before the day it is made.

Exception – certain actions not validated

(4.2) An appointment to an office other than a quasi-judicial office that is effective before the day it is made does not render valid the purported exercise of any of the following powers before the day on which the appointment was made:

- (a) use of force;
- (b) issuing orders or similar instruments;
- (c) entering premises without a warrant;
- (d) any powers under the *Summary Conviction Procedures Act*.

Exception – previous actions not invalidated

(4.3) A revocation from an office other than a quasi-judicial office that is effective before the day it is made does not render invalid the exercise of a power or the performance of a duty before the day on which the revocation was made.

Revocation of appointment

(5) An appointment during pleasure may be revoked at any time without cause or prior notice.

Quasi-judicial functions

(5.1) Except in the case of resignation, removal for cause or suspension for cause, a person who is appointed to a quasi-judicial office and is seized of a matter involving two or more parties before the expiry or termination of their appointment

- (a) remains seized of the matter until its conclusion; and
- (b) is deemed to remain appointed to the office for the purposes of concluding that matter only.

Resignation

(6) If a public officer resigns from office,

- (a) despite subsection (4), the revocation must specify the effective date of the resignation as the day on which the revocation takes effect; and
- (b) the revocation may be made by the person authorized to make the appointment alone, despite a requirement in an enactment for a recommendation, consultation or other similar procedure.

Effective time of appointment

(7) An appointment is effective at the beginning of the day on which the appointment is to take effect.

Effective time of expiration of appointment

(8) Subject to subsection (9), an appointment for a term that is to conclude, expire or otherwise come to an end on a specified day includes that day.

Effective time of revocation of appointment

(9) An appointment that is revoked effective on a specified day is effective at the beginning of the specified day.

Exception

(10) This section does not apply to appointments under subsection 8(1) of the *Public Service Act*, or a similar appointment to a position in the public service under another Act.

Powers of judicial officers

30. (1) If an enactment confers judicial or quasi-judicial powers on a judge or an officer of a court,

- (a) the judge or officer, in exercising those powers, does so in their official capacity and as representing that court; and
- (b) the judge or officer may for the purpose of performing the duties imposed on them by the enactment, subject to the enactment, exercise the powers they possess as a judge or officer of that court.

Appeals

(2) If an enactment provides for an appeal from the decision of a person, board, tribunal, commission or other body to a court, judge or justice, an appeal lies from the

decision of the court, judge or justice as in the case of any other proceeding in that court, in the court of which the judge is a member, or before the justice.

Territorial jurisdiction

31. (1) The jurisdiction and powers of judges, justices and public officers may be exercised in all of Nunavut, unless otherwise specified in their instrument of appointment.

Same

(2) Anything required or authorized by an enactment to be done by or before a judge, justice or public officer may only be done by or before one whose jurisdiction or powers extend to the place where such a thing must or may be done.

Exercise of power from time to time

(3) A power conferred or a duty imposed by an enactment may be exercised or performed from time to time as the occasion requires.

Effect of delegation

32. (1) If an enactment authorizes the holder of an office or position to delegate a power granted or duty imposed on the office or position by the enactment, the holder, despite any delegation made, may exercise the power or perform the duty.

Validity of delegation

(2) A delegation made under the authority of an enactment remains valid and in effect until the delegation is revoked or expires unless

- (a) the enactment providing the delegated power or duty is repealed or so changed in substance that the power or duty is not substantially the same; or
- (b) the enactment authorizing the delegation is repealed or so changed in substance that the delegation is no longer authorized.

Regulations

(3) An authority conferred by an Act to delegate a power or duty does not include the power to make regulations.

Acting for Minister

33. (1) Words in an enactment directing or empowering a Minister include

- (a) another member of the Executive Council acting as or for the Minister;
- (b) the deputy head of the department or public agency that administers the enactment;
- (c) a person employed in an appropriate capacity in the department or public agency that administers the enactment; and
- (d) a person authorized in writing, by name or by office, to do that act or thing by the Minister.

Acting for public officer

(2) Words in an enactment directing or empowering the holder of an office or position, other than a judicial office, referred to in the enactment include

- (a) a person appointed or designated to act for the holder; and
- (b) the holder's deputy.

Delegation

(3) For greater certainty, if a power or duty referred to in subsection (1) or (2) is delegated to the holder under a statutory power of delegation, those subsections do not apply in respect of the power or duty.

Vacancy

(4) Subsections (1) and (2) apply whether or not the office or position is vacant.

Regulations

(5) Paragraphs (1)(b) to (d) do not apply to a power conferred by an enactment to make regulations that are not exempted under section 50, or to recommend the making of such regulations.

Majority

34. (1) If an enactment requires or authorizes more than two persons to do an act or thing, a majority of them may do it.

Quorum

(2) If an enactment establishes a board, tribunal, commission or other body consisting of three or more members,

- (a) a quorum of the body is constituted by
 - (i) if the enactment provides for a fixed number of members, one-half of the number of members,
 - (ii) if the enactment provides for a range having a maximum or minimum number of members, the greater of
 - (A) one-half of the members in office, and
 - (B) if applicable, one-half of the minimum number of members, or
 - (iii) if the enactment does not provide for the number of members, one-half of the members in office;
- (b) an act or thing done by a majority of the members of the body present at a meeting, if the members constitute a quorum, is deemed to have been done by the body; and
- (c) a vacancy in the membership of the body does not invalidate the constitution of the body or impair the right of the members in office to act, if the number of members in office is not less than a quorum.

Included powers

35. (1) If an enactment confers a power, all the powers that are necessary to exercise the power are also conferred.

Same

(2) If in an enactment the performance of an authorized action is dependent on the Commissioner in Executive Council or another person performing another action, the Commissioner in Executive Council or other person has the power to perform that other action.

Corporations

Powers of corporations

36. (1) An enactment establishing or continuing a corporation is to be interpreted as vesting in the corporation the authority to

- (a) have perpetual succession;
- (b) sue in its corporate name;
- (c) contract and be contracted with in its corporate name;
- (d) have a common seal and alter or change it;
- (e) acquire, hold and dispose of property for its purposes; and
- (f) regulate its own procedure and business.

Corporations

(2) An enactment establishing or continuing a corporation is to be interpreted

- (a) to make the corporation liable to be sued in its corporate name;
- (b) to vest in the majority of its members the ability to bind the others;
and
- (c) to exempt from personal liability for the corporation's debts, obligations or acts its individual members who do not contravene the enactment.

Applies only to existing enactments

(3) This section applies to an enactment only if the enactment is in force on the day this section comes into force.

Regulations and forms

Power to differentiate

37. A power to make regulations includes the power to make regulations that

- (a) are general or particular in application;
- (b) are different for different classes; and
- (c) establish classes for the purposes of paragraph (b).

Prescribed sums of money

38. A power to prescribe fees or other sums of money includes the power to make regulations setting out the manner of calculating or otherwise determining fees or other sums of money.

Prescribed forms

39. (1) A power to prescribe forms under an enactment is deemed to be a power to

- (a) prescribe the contents of the form; and
- (b) provide who may approve the form.

Paper or electronic forms

(2) Approved forms may be in paper or electronic format, or both.

Deviations from form

(3) If an enactment requires the use of a specified form, deviations from the form do not invalidate the form used if

- (a) the deviations do not affect the substance;
- (b) the deviations are not likely to mislead; and
- (c) the form used is organized in the same way or substantially the same way as the specified form.

Terms used in regulations

40. A word or expression used in a regulation has the same meaning as in the enactment authorizing the regulation, whether or not the word or expression is defined in the authorizing enactment.

Time

Time period ending or beginning on a specified day

41. (1) A period of time expressed in days and described as beginning or ending on, at or with a specified day includes the specified day.

Time period beginning before or after a specified day

(2) A period of time expressed in days and described as beginning after or from, or ending before, a specified day excludes the specified day.

Time period between two events

(3) A period of time described by reference to a number of days between two events excludes the day on which the first event happens and includes the day on which the second event occurs.

Clear days abolished

(4) Subsections (1) to (3) apply even if the period is expressed as "at least" or "not less than" a number of days or as requiring clear days.

Holidays

(5) A time limit for the doing of anything that falls or expires on a holiday is extended to include the next day that is not a holiday.

Regular hours of business

(6) A time limit for registering or filing documents or for doing anything else that falls or expires on a day on which the place for doing so is not open during its regular hours of business is extended to include the next day the place is open during its regular business hours.

Period in months

(7) A period of time expressed as one or more consecutive months beginning or ending on, at, with, before, after or from a specified day, is counted to the date numerically corresponding to the date of the specified day in the last or first month of the period, as the case requires.

Period in years

(8) A period of time expressed as one or more consecutive years beginning or ending on, at, with, before, after, or from a specified day, is counted to the same date as the specified day in the last or first year of the period, as the case requires.

No corresponding date

(9) If a period of time would end on a date in a month that has no date numerically corresponding to the first date in that period, the period ends on the first day of the next month.

Age

(10) A person reaches a particular age expressed in years at the beginning of the relevant anniversary of their birth date.

Money due under enactments

Deposit in Consolidated Revenue Fund

42. Subject to subsection 43(2), a tax, fee, penalty or other sum of money or the proceeds of a forfeiture under an enactment,

- (a) belongs to the Government of Nunavut; and
- (b) must be deposited in the Consolidated Revenue Fund.

Recovery of penalties or forfeitures

43. (1) A penalty or forfeiture imposed for the contravention of an enactment is recoverable with costs by a civil action at the suit of the Government of Nunavut or a private party suing for the Government of Nunavut as well as themselves, if

- (a) it cannot be recovered on summary conviction; and
- (b) no other mode is established or prescribed for its recovery, or another mode is established or prescribed, but it is not applicable.

Ownership of penalties and forfeitures

(2) If no other provision is made for the appropriation of a penalty or forfeiture referred to in subsection (1),

- (a) in the case of a private plaintiff, one half of it belongs to the Government of Nunavut, and the other half belongs to the private plaintiff; and
- (b) in the absence of a private plaintiff, the whole belongs to the Government of Nunavut.

Government not bound

44. The Government of Nunavut is not

- (a) liable to pay a tax, fee, penalty or other sum of money under an enactment that would belong to the Government of Nunavut or be deposited in the Consolidated Revenue Fund;
- (b) subject to forfeiture proceedings under an enactment where the proceeds of the forfeiture would belong to the Government of Nunavut or be deposited in the Consolidated Revenue Fund; or
- (c) subject to civil action under section 43.

Amending formula

Amending formula

45. When an enactment is amended using the formula "amended as follows:",

- (a) the text of the enactment is deleted and replaced by the text following the formula, except
 - (i) underlined text is included in the replacement text without the underlining, and
 - (ii) text that is struck through is not included in the replacement text; and
- (b) the underlining and the text that is struck through are included for convenience of reference only, to indicate text that is being added to or deleted from the text of the enactment.

PART 2
BILLS AND ACTS

Rights and freedoms

46. (1) The Minister of Justice must, for every Bill introduced in the Legislative Assembly by a Minister, cause to be provided in the Legislative Assembly, at the earliest opportunity, a statement that sets out potential effects of the Bill on

- (a) the rights and freedoms that are guaranteed by the *Canadian Charter of Rights and Freedoms*; and
- (b) the rights that are guaranteed to Nunavut Inuit under the Nunavut Agreement.

Inuit societal values

(2) A Minister introducing a Bill in the Legislative Assembly must cause to be provided in the Legislative Assembly, at the earliest opportunity, a statement that sets out the manner in which Inuit societal values are integrated into the provisions of the Bill.

Purpose

(3) The purpose of the statements under this section is to inform members of the Legislative Assembly as well as the public.

Exceptions

(4) This section does not apply with respect to Bills whose subject-matter is limited to

- (a) the appropriation of any part of the public revenue of Nunavut or of a tax;
- (b) the write-off or write-down of assets or debts;
- (c) forgiveness of debts; or
- (d) loan authorizations.

Certification of new and amending Acts

47. (1) As soon as practicable after a Bill receives Assent, the Clerk of the Legislative Assembly must provide a certified copy of it to the Chief Legislative Counsel.

Publication

- (2) After a Bill receives Assent, the Chief Legislative Counsel must
- (a) assign a chapter number to it in accordance with subsection (3); and
 - (b) provide the Act to the Territorial Printer for publication.

Chapter numbers

- (3) Bills given Assent in each year
- (a) are numbered consecutively in the order of Assent as chapters of the Statutes of Nunavut, which may be abbreviated as "S.Nu.", for that year, starting with the number "1"; and
 - (b) are numbered in the following order if two or more Bills are given Assent on the same day:
 - (i) appropriations Bills are numbered in the order of their Bill numbers in the Legislative Assembly,
 - (ii) then Bills on other matters are numbered in the order of their Bill numbers in the Legislative Assembly.

Pre-publication corrections and additions

48. (1) When preparing a new or amending Act for publication, the Chief Legislative Counsel may, without altering the legal effect of the Act,

- (a) correct spelling, capitalization, punctuation or grammatical errors, and other errors of a clerical, typographical or similar nature;
- (b) correct errors in the numbering of provisions or cross-references;

- (c) alter the style or presentation of text or graphics to be consistent with the style and formatting practices of Nunavut, or to improve electronic or print presentation; and
- (d) include a table of contents and explanatory notes to assist readers.

Notice of correction

(1.1) When making a correction under subsection (1), the Chief Legislative Counsel must publish a notice on the Nunavut Legislation website that identifies the correction.

Subsequent corrections

(2) On discovering that the published version of a new or amending Act differs from the Act as enacted, otherwise than because of a change or correction made under subsection (1), the Chief Legislative Counsel

- (a) must ensure that the published version is promptly corrected; and
- (b) may publish a notice of the correction if the Chief Legislative Counsel considers it appropriate to do so.

Correction is part of Act

(3) A change or correction made to a new or amending Act in accordance with this section, other than under paragraph (1)(d), is deemed to be part of that Act as enacted by the Legislature.

Repeal of not-in-force Acts

49. (1) Subject to this section, an Act or provision of an Act which is to come into force by order is repealed if it has not come into force at the end of the tenth year following the most recent time it was

- (a) enacted;
- (b) amended; or
- (c) subject to a notice under subsection (2).

Notice to avoid repeal

(2) An Act or a provision of an Act referred to in subsection (1) is not repealed if, during the tenth year following the most recent time it was enacted, amended or subject to a notice under this subsection, the Minister responsible for it, or the Speaker of the Legislative Assembly in the case of an Act or provision that is the responsibility of the Legislative Assembly, causes a notice to be published in the *Nunavut Gazette* stating that it will not be repealed.

Notice of repealed Acts

(3) At the beginning of each year, the Chief Legislative Counsel must publish in the *Nunavut Gazette* a list of Acts and provisions of Acts that were repealed under this section at the end of the previous year.

PART 3
REGULATIONS

Non-application – regulations and instruments

50. Subject to regulations made under section 81, this Part and Parts 4 and 5, and the regulations made under section 81 with respect to these Parts, do not apply to a regulation that is

- (a) made by a corporation, a society, a public agency or an association, including a professional association;
- (b) a directive, direction, guideline or similar instrument that applies only to the Government of Nunavut, a public agency or the public service;
- (c) an instrument issued by a judicial or quasi-judicial body, other than rules made under *Judicature Act*;
- (d) an instrument made by a municipal council or a municipal corporation;
- (e) a licence, permit, approval, order, directive or similar instrument issued to and concerning only a specified person by a public officer or member of the public service in the ordinary course of administration of an enactment;
- (f) an appointment of a person to or termination of a position in the public service;
- (g) an instrument of appointment or designation of a person to a public office or to a position on a public board, committee or commission or the termination or amendment of such an appointment or designation;
- (h) a form;
- (i) an instrument that is subject to any type of privilege available at law, including solicitor-client privilege;
- (j) an instrument that is limited to advice or information intended only for use or assistance in the making of a decision or the determination of policy, or in the ascertainment of any matter necessarily incidental to that;
- (k) an instrument that has been excluded from the application of this Part and Parts 4 and 5 by another Act; or
- (l) an instrument prescribed by regulation or of a class of instruments prescribed by regulation.

Request for regulation

51. (1) If the regulatory authority with respect to a proposed regulation is a Minister or a body that is part of the Government of Nunavut, the appropriate deputy head must request the Chief Legislative Counsel to prepare the proposed regulation.

Management and Service Board regulations

(2) The Clerk of the Legislative Assembly may request the Chief Legislative Counsel to prepare a proposed regulation on behalf of the Speaker of the Legislative

Assembly, the Management and Services Board or an independent officer of the Legislative Assembly.

Other regulatory authorities

(3) Any other regulatory authority may request the Chief Legislative Counsel to prepare a proposed regulation for the authority.

Confirmation

(4) Subject to subsection (5), on providing a requested regulation to a regulatory authority, the Chief Legislative Counsel must confirm that the proposed regulation

- (a) is authorized by the Act under which it is to be made;
- (b) does not constitute an unusual or unexpected use of the authority under which it is to be made;
- (c) does not unduly interfere with existing rights and freedoms and is, in any case, consistent with
 - (i) the *Canadian Charter of Rights and Freedoms* and section 35 of the *Constitution Act, 1982* (Canada),
 - (ii) the *Canadian Bill of Rights* (Canada),
 - (iii) the *Human Rights Act*, and
 - (iv) the Nunavut Agreement; and
- (d) is drafted in accordance with established standards.

Advice to regulatory authority

(5) If the Chief Legislative Counsel is not able to confirm all matters referred to in subsection (4) with respect to a proposed regulation, the Chief Legislative Counsel must advise the regulatory authority of

- (a) provisions of the proposed regulation that, in the opinion of the Chief Legislative Counsel, do not conform to paragraphs (4)(a) to (d); and
- (b) changes to the proposed regulation that, in the opinion of the Chief Legislative Counsel, would ensure that the regulation is validly made and enforceable.

Report on unauthorized regulation

(6) The Chief Legislative Counsel must report to the Attorney General for Nunavut any requested regulation with final drafting instructions that would, in the opinion of the Chief Legislative Counsel,

- (a) clearly not be authorized by the Act under which it would be made; or
- (b) clearly be inconsistent with
 - (i) the *Canadian Charter of Rights and Freedoms* or section 35 of the *Constitution Act, 1982* (Canada),
 - (ii) the *Canadian Bill of Rights* (Canada),
 - (iii) the *Human Rights Act*, or
 - (iv) the Nunavut Agreement.

Consultation on proposed regulations

52. (1) After a proposed regulation has been provided to a regulatory authority pursuant to a request made under subsection 51(1), the regulatory authority may publish a draft of the proposed regulation or otherwise make copies of the proposed regulation available to persons outside the regulatory authority if

- (a) the proposed regulation is in respect of a matter that is subject to Section 2.6.1 or Article 32 of the Nunavut Agreement;
- (b) the regulatory authority is required by the Act under which the regulation is made to consult with persons who may be affected by the proposed regulation; or
- (c) the regulatory authority considers it advisable to consult with persons who may be affected by the proposed regulation.

Confirmation or revision of advice

(2) If a proposed regulation is changed as a result of consultations on the proposed draft, the Chief Legislative Counsel must provide the regulatory authority with a confirmation or revision of the advice provided under subsection 51(4) or (5), as applicable.

Examination of other regulations

53. (1) If a proposed regulation is not prepared under the direction of the Chief Legislative Counsel, the regulatory authority must forward the proposed regulation to the Chief Legislative Counsel for examination in accordance with subsection (2).

Examination

(2) On receipt of a proposed regulation under subsection (1), the Chief Legislative Counsel must examine the proposed regulation to ensure that

- (a) it is authorized by the Act under which it is to be made;
- (b) it does not constitute an unusual or unexpected use of the authority under which it is to be made;
- (c) it does not unduly interfere with existing rights and freedoms and is, in any case, consistent with
 - (i) the *Canadian Charter of Rights and Freedoms* and section 35 of the *Constitution Act, 1982* (Canada),
 - (ii) the *Canadian Bill of Rights* (Canada),
 - (iii) the *Human Rights Act*, and
 - (iv) the Nunavut Agreement; and
- (d) the form and drafting of the proposed regulation are in accordance with established standards.

Non-application

(3) Paragraph (2)(d) does not apply to a proposed regulation that

- (a) governs the practice or procedure in a court having jurisdiction in Nunavut; or
- (b) is exempt from publication by a regulation made under section 81.

Advice to regulatory authority

(4) When a proposed regulation has been examined as required by subsection (2), if the Chief Legislative Counsel is not able to confirm all matters referred to in subsection (2) with respect to the proposed regulation, the Chief Legislative Counsel must advise the regulatory authority of

- (a) provisions of the proposed regulation that, in the opinion of the Chief Legislative Counsel, do not conform to paragraphs (2)(a) to (d); and
- (b) changes to the proposed regulation that, in the opinion of the Chief Legislative Counsel, would ensure that the regulation is validly made and enforceable.

Confirmation or revision of advice

(5) If a proposed regulation examined under subsection (2) is changed as a result of consultations on the proposed draft,

- (a) the regulatory authority must submit the changed proposed regulation to the Chief Legislative Council for further examination under subsection (2); and
- (b) the Chief Legislative Counsel must examine the changed proposed regulation and provide the regulatory authority with a confirmation or revision of the advice provided under subsection (4), as applicable.

Inuit societal values

54. (1) For every proposed regulation, the regulatory authority must

- (a) ensure that a statement setting out the manner in which Inuit societal values are integrated into the provisions of the regulation is prepared; and
- (b) review the statement prior to making the regulation.

Publication of statement

(2) If, in the opinion of the regulatory authority, a regulation has a significant impact on residents of Nunavut, the regulatory authority must ensure that the statement prepared under paragraph (1)(a) is published in the same edition of the *Nunavut Gazette* as the regulation.

Same

(3) The regulatory authority may request the publication in the *Nunavut Gazette* of any other statement prepared under paragraph (1)(a).

Exception

(4) This section does not apply to

- (a) a proposed regulation whose subject-matter is limited to bringing another enactment into force;
- (b) a proposed proclamation under the *Nunavut Elections Act* or a proposed instrument to dissolve the Legislative Assembly;

- (c) a proposed regulation to initiate a plebiscite under an Act; or
- (d) the Management and Services Board or the Speaker of the Legislative Assembly.

Transmission of regulation

55. A regulatory authority must transmit a regulation or a certified copy of it to the Chief Legislative Counsel for registration under section 56 as soon as practicable after the regulation is made.

Registration of regulations

56. (1) Subject to subsection (3), the Chief Legislative Counsel must register in the register of regulations every regulation

- (a) transmitted under section 55; or
- (b) revised in accordance with Part 5.

Invalid or defective regulation

(2) Subject to subsection (3), paragraph (1)(a) applies to a regulation even if the Chief Legislative Counsel is of the opinion that the regulation is not authorized under an Act or is otherwise invalid or defective in any respect or for any reason.

Refusal to register – unexamined regulation

(3) The Chief Legislative Counsel may refuse to register a regulation that was, before it was made, a proposed regulation to which section 53 applied and that was not examined in accordance with subsection 53(2) or re-examined in accordance with subsection 53(5).

Effect of registration if regulation defective

(4) The registration or publication of a regulation under this Act does not validate or correct a regulation that is otherwise invalid or defective in any respect or for any reason.

Registration numbers

(5) When registering a regulation, the Chief Legislative Counsel must assign a registration number to the regulation in accordance with subsection (6).

Consecutive numbering

(6) Regulations registered in each year are numbered consecutively, as nearly as may be in the order in which they are received for registration, beginning with the number "001", followed by the year of registration.

Commencement of regulations

57. A regulation or part of a regulation comes into force

- (a) on the day on which it is registered; or
- (b) on the day specified in the regulation if
 - (i) a later day is specified in the regulation, or

- (ii) an earlier day is specified in the regulation and the Act under which the regulation is made authorizes the regulation to come into force on an earlier day.

Requirement to publish

58. (1) Subject to subsections (4) and (7), and unless it is exempt from publication by a regulation made under section 81, a regulation that is registered under this Act must be published

- (a) in the *Nunavut Gazette* within three months after being registered; and
- (b) on the Nunavut Legislation website as soon as practicable after being registered.

Pre-publication corrections and additions

(2) When preparing a regulation for publication, the Chief Legislative Counsel may, without altering the legal effect of the regulation,

- (a) correct spelling, capitalization, punctuation or grammatical errors, and other errors of a clerical, typographical or similar nature;
- (b) correct errors in the numbering of provisions or cross-references;
- (c) alter the style or presentation of text or graphics to be consistent with the style and formatting practices of Nunavut, or to improve electronic or print presentation; and
- (d) include a table of contents and explanatory notes to assist readers.

Notice of correction

(2.1) When making a correction under subsection (2), the Chief Legislative Counsel must publish a notice on the Nunavut Legislation website that identifies the correction.

Correction is part of regulation

(3) A change or correction made to a regulation in accordance with paragraphs (2)(a) to (c) is deemed to be part of that regulation.

Maps, plans and drawings

(4) If a regulation contains or has attached to it a map, plan or drawing that cannot be reasonably reproduced on letter-size paper, the map, plan or drawing is exempt from publication in the *Nunavut Gazette*, but the Territorial Printer must

- (a) make the map, plan or drawing available for viewing with the regulation as published on the Nunavut Legislation website; or
- (b) indicate, on publication of the regulation in the *Nunavut Gazette*, where the original or a copy of the map, plan or drawing is available for public inspection.

Incorporation by reference

(5) A regulation may incorporate by reference, with or without variation, a code or standard created by another entity, to be in force in Nunavut, either in whole or in part

or with such variations as may be specified in the regulation, as established or as amended from time to time.

Exception

(6) For greater certainty, a code or standard created by any of the following may only be incorporated by reference in a regulation as established and not as amended from time to time:

- (a) the Government of Nunavut;
- (b) a public agency;
- (c) a public officer;
- (d) an entity that is not independent of all the entities and officers referred to in paragraphs (a) to (c).

Incorporated codes

(7) If a code or standard is incorporated by reference under this section, it is deemed to be published under this section if a reference in the regulation

- (a) identifies the code or standard;
- (b) identifies the entity that is the source of the code or standard and from which copies of the code or standard can be obtained; and
- (c) indicates the extent of incorporation of the code or standard and the variations to which it is subject.

Judicial notice

(8) Judicial notice must be taken of a code or standard that is incorporated by reference in a regulation in accordance with this section.

Effect of non-publication

59. (1) A regulation that is required to be published is not invalid by reason only that it was not published in accordance with section 58.

No conviction under unpublished regulation

(2) Despite subsection (1), a person must not be convicted of an offence consisting of a contravention of a regulation that at the time of the alleged contravention was not published in accordance with section 58 unless

- (a) the regulation is exempt from the application of subsection 58(1) by a regulation made under section 81; or
- (b) the regulation or the Act under which it is made expressly provides that it applies before it is published.

Notice of provisions

(3) A person must not be convicted of an offence described in subsection (2) unless it is shown that, at the time of the alleged contravention,

- (a) reasonable steps had been taken to give notice of the substance of the regulation to persons likely to be affected by it; or
- (b) the accused person had actual notice of the substance of the regulation.

Inspection – registered regulations

60. (1) A person may inspect a regulation that has been registered under this Act by attending at the office of the Chief Legislative Counsel or at such other place as the Chief Legislative Counsel may give notice of.

Copies – registered regulations

(2) A person may obtain a copy or a certified copy of a regulation that has been registered under this Act by writing to the Chief Legislative Counsel or by attending at the office of the Chief Legislative Counsel or at such other place as the Chief Legislative Counsel may give notice of.

Regulations referred to standing committee

61. (1) Every regulation is permanently referred to any standing committee of the Legislative Assembly that is established for the purpose of reviewing and scrutinizing regulations.

Report of standing committee

(2) The standing committee referred to in subsection (1) may, without reference to the merits of the policy or objectives to be effected by the regulation or enabling Act, review a regulation and, subject to subsection (3), make a report to the Legislative Assembly containing a resolution that a regulation that stands permanently referred to it be repealed if, in the opinion of the members of the standing committee, there exists

- (a) a lack of legal authority to make the regulation; or
- (b) a failure to follow the legally required process in making the regulation.

Notification

(3) The standing committee may not make a report under subsection (2) unless it has notified the regulatory authority at least three months prior to making the report.

Repeal of regulation

(4) If the Legislative Assembly adopts a resolution referred to in subsection (2), the regulatory authority, and, if applicable, any other person or body responsible for making the regulation, must ensure that the regulation is repealed no later than three months after the day on which the resolution was adopted, or a later day specified in the resolution.

Exceptions

(5) This section does not apply to a regulation made

- (a) before the coming into force of this section;
- (b) under statutory or regulatory provisions that substantially replicate powers in the Nunavut Agreement or another agreement or treaty referred to in section 35 of the *Constitution Act, 1982* (Canada);

- (c) by or on the recommendation of the Management and Services Board; or
- (d) under an authority other than an enactment.

PART 4 CONSOLIDATED ACTS AND REGULATIONS

Consolidated Statutes of Nunavut

62. (1) The consolidated public Acts, whether originally enacted as Statutes of Nunavut, Revised Statutes of the Northwest Territories 1988, or Statutes of the Northwest Territories, are established as the Consolidated Statutes of Nunavut, which may be abbreviated as "C.S.Nu.".

C.S.Nu. chapter numbers

(2) The Chief Legislative Counsel may add a new Act or a previously consolidated or revised Act to the Consolidated Statutes of Nunavut by assigning to it a unique C.S.Nu. chapter number and including the number in the published version of the Act.

Citation – consolidated regulations

(3) Regulations, whether made and registered in the Northwest Territories and duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada) or made and registered in Nunavut, may be consolidated and published as Consolidated Regulations of Nunavut, which may be abbreviated as "C.R.Nu.", followed by

- (a) in the case of regulations included in the Revised Regulations of the Northwest Territories 1990, the chapter number and the year 1990; or
- (b) in the case of other regulations, the registration number and year of the regulation being consolidated.

Consolidation of amendments

63. (1) Subject to subsections (3) and (4), as soon as practicable after an amending enactment comes into force, the Chief Legislative Counsel must

- (a) prepare a consolidation of the amended enactment that reflects the changes made by the amendment; and
- (b) provide the consolidation to the Territorial Printer for publication.

When consolidation is not required

- (2) The Chief Legislative Counsel is not required to consolidate an enactment that
- (a) has effect for a limited period of time;
 - (b) is transitional in nature; or
 - (c) is a private Act or a regulation made under a private Act.

Prior versions

(3) When an enactment is consolidated or repealed, the Territorial Printer must continue to publish the previous consolidation or the repealed version of the enactment.

Obligation not retroactive

(4) Subsection (3) applies only to Acts and regulations consolidated or repealed after the coming into force of this section.

Consolidation date

(5) The consolidation date shown on a consolidated enactment is the day on which the most recent amendments included in the consolidation came into force.

Amendments not in force

(6) A consolidation may include information respecting amended provisions that are not yet in force, but such information is not part of the consolidation.

Retroactive amendments

(7) If an amendment to a consolidated enactment is deemed to have come into force before the amendment is made,

- (a) a copy of the consolidated enactment made before the day the amendment is made will not include the retroactive amendment; and
- (b) the consolidation date to be shown on a copy of the first consolidation that includes the amendment is the day the amendment is made.

Information

64. The Territorial Printer must publish the following information:

- (a) the legislative history of each consolidated enactment by citing each enactment that amends or repeals it;
- (b) the Assent date and the day or manner of coming into force of a new or amending Act that does not come into force on Assent;
- (c) the registration date and the day or manner of coming into force of a new or amending regulation if it does not come into force on the registration date;
- (d) other information that, in the opinion of the Chief Legislative Counsel, would be helpful in understanding the relevant legislative history.

Editorial changes and corrections

65. (1) The Chief Legislative Counsel may, in the course of preparing a consolidation or after a consolidated enactment is published, but without altering its legal effect,

- (a) correct a spelling, capitalization, punctuation, grammatical error, or other error of a clerical, typographical or similar nature;
- (b) alter the style or presentation of text or graphics to be consistent with the style and formatting practices of Nunavut, or to improve electronic or print presentation;
- (c) make a minor editorial change required to ensure a consistent form of expression;

- (d) make a minor change required to make a form of expression in one Official Language more compatible with its form of expression in another Official Language;
- (e) revise language or a reference that is outdated or archaic to make the language current and accurate;
- (f) revise language to achieve gender-neutral terminology;
- (g) add, revise or delete an information note, table of contents, section heading, historical reference or other reader's aid that does not form part of the enactment;
- (h) replace a description of a date or time with the actual date or time;
- (i) replace a reference to a Bill or a part of a Bill with a reference to the resulting Act or part of the Act after the Bill is enacted and assigned a chapter number;
- (j) remove a reference to a contingency in a provision that is stated to come into effect when or if that contingency occurs, if that contingency has occurred, and make corrections required as a result of removing such a reference;
- (k) remove a provision that is stated to come into effect when or if a contingency occurs, if it is no longer possible for that contingency to occur, and make corrections required as a result of removing such a provision;
- (l) make changes necessary to reflect the establishment of Nunavut, including
 - (i) if an enactment refers to a department, office, body, place, concept or thing by its title under the laws of the Northwest Territories in effect on March 31, 1999, substituting a reference to the equivalent department, office, body, place, concept or thing established in Nunavut,
 - (ii) if an enactment refers to a department, office, body, place, concept or thing that does not have and is not intended to have an equivalent in Nunavut, substituting a reference to the appropriate department, office, body, place, concept or thing, and
 - (iii) removing a provision that has no effect in Nunavut as a result of the coming into force of the *Nunavut Act* (Canada);
- (m) update a reference to a person, department, office, organization, place or thing if an Act provides that references to it are deemed or considered to be references to another person, department, office, organization, place or thing;
- (n) update a reference to reflect a change in the name, title, location or address of a person, department, office, organization, place or thing, other than a change in the name or title of a document incorporated by reference into an enactment unless it was incorporated as amended from time to time;

- (o) alter or correct the numbering and arrangement of provisions, or change a cross-reference required as a result of such alteration or correction;
- (p) correct an obvious error in a cross-reference, or update a cross-reference to reflect numbering changes in another enactment;
- (q) if a provision of a transitional nature is contained in an amending enactment, incorporate it as a provision of the consolidated enactment and make other changes that are required as a result;
- (r) omit a provision that has expired, been repealed or is spent, obsolete, inoperative or otherwise ineffective; and
- (s) make minor amendments that are necessary to reconcile seemingly inconsistent enactments if the necessary amendment is obvious.

Notice of change

(2) When making a change under this section, the Chief Legislative Counsel must include in the changed version of the enactment or cause otherwise to be published on the Nunavut Legislation website a notice that identifies the change or states the nature of it.

Considerations

(3) In determining the information to be included in a notice under subsection (2), the Chief Legislative Counsel must consider the nature of the change and the extent to which the information given by the notice would help in understanding the relevant legislative history.

Correction of consolidation or publication error

(4) On discovering an error made in consolidating or publishing a consolidated enactment, the Chief Legislative Counsel must arrange for the corrected version to be published.

Consolidation not new law

66. (1) A consolidated enactment does not operate as new law.

Inconsistency

(2) If there is an inconsistency between a consolidated enactment and the original or revised enactment as amended, the original or revised enactment as amended prevails.

Amendment referencing consolidated enactment

(3) Despite subsection (2), an amendment to an enactment is valid even if it references a provision or language in a consolidated enactment that is different from the provision or language in the original or revised enactment as amended.

PART 5
REVISED ACTS AND REGULATIONS

Preparation of revision

67. The Chief Legislative Counsel may from time to time prepare a revision of any or all of the enactments of Nunavut.

Powers

68. (1) Subject to subsection (3), in revising an enactment under this Part, the Chief Legislative Counsel may, in addition to making changes described in subsection 65(1), do one or more of the following:

- (a) consolidate into the revision of an enactment all unconsolidated amendments made to the enactment before the date of the revision;
- (b) alter the numbering and arrangement of an enactment, and of the Parts, sections and other divisions of an enactment;
- (c) consolidate two or more enactments, divide an enactment into two or more enactments and transfer provisions from one enactment to another enactment;
- (d) consolidate two or more Parts, sections or other divisions of an enactment, divide a Part, section or other division of an enactment into two or more Parts, sections or other divisions, and transfer a portion of a Part, section or other division of an enactment to another Part, section or other division of the enactment;
- (e) add, revise or delete any heading in or any title of any enactment;
- (f) omit a provision that is superseded by another enactment;
- (g) revise and alter the language to give better expression to the spirit and meaning of the law;
- (h) delete a form in a regulation and replace it with
 - (i) provisions prescribing the contents of the form, and
 - (ii) a provision authorizing the Minister responsible for the Act under which the regulation is made to approve the form;
- (i) assign an appropriate C.S.Nu. chapter number to a revised Act or C.R.Nu. chapter number to a revised regulation.

Information

(2) The Chief Legislative Counsel must ensure information is published with respect to revised enactments identifying the changes made in the course of revision or stating the nature of them.

No change of substance

(3) No change may be made under subsection (1) that has the effect of changing the substance or intent of a provision of an enactment.

Legislation Act

Submission of revised Act

69. (1) On completion of a revision of an Act, the Chief Legislative Counsel must submit a copy of the revised Act, together with any related documents, for approval by the Commissioner in Executive Council.

Deposit with Clerk

(2) The Commissioner in Executive Council may approve a revised Act submitted by the Chief Legislative Counsel and direct that a copy of it, together with any related documents, be deposited with the Clerk of the Legislative Assembly.

Inuktitut version

(3) Subsection 5(2) of the *Official Languages Act* applies with the necessary modifications to a deposited copy of the revised Act.

Approval by Assembly

70. (1) The Legislative Assembly may, by motion, approve a revised Act deposited under subsection 69(2).

Act of Legislature

(2) A revised Act is deemed to be enacted by the Legislature and comes into force on the day it is approved by the Legislative Assembly under subsection (1).

Citation

(3) On and after the day a revised Act comes into force, it may be referred to by the citation Revised Statutes of Nunavut, which may be abbreviated as "R.S.Nu.", followed by the year and the chapter number assigned by the Chief Legislative Counsel.

Revision of provisions not yet in force

(4) If a provision of an Act included in a revised Act is to come into force by order, and if that provision is not in force before the day on which the revised Act comes into force, the approval under subsection (1), unless the revised Act states otherwise, brings the corresponding provision of the revised Act into force.

Publication of revised Acts

71. The Territorial Printer must publish every revised Act, together with any related documents deposited with the revision under subsection 69(2), as soon as practicable after the revised Act comes into force.

Revised regulations

72. (1) On completion of a revision of a regulation, the Chief Legislative Counsel must provide the revised regulation and any related documents to the regulatory authority for approval.

Approval

(2) When a regulatory authority has approved a revision of a regulation, the Chief Legislative Counsel must

- (a) register the revised regulation under section 56; and
- (b) publish the revised regulation in accordance with section 58.

Deemed made

(3) A revised regulation registered under paragraph (2)(a) is deemed to be made by the person or body authorized to make the regulation.

Citation

(4) On and after the day a revised regulation comes into force, it may be referred to by the citation Revised Regulations of Nunavut, which may be abbreviated as "R.R.Nu.", followed by the registration number assigned under subsection 56(6).

Coming into force

(5) Unless otherwise stated in the revision, a revised regulation comes into force on the day it is registered.

Repeal of former versions

73. On the coming into force of a revised enactment, former enactments are repealed to the extent specified in the revision or a schedule attached to the revision.

PART 6
NUNAVUT GAZETTE

Official Gazette

74. (1) The *Nunavut Gazette* is continued as the official gazette for Nunavut.

Electronic publication

(2) The Territorial Printer must publish the *Nunavut Gazette* monthly on the Nunavut Legislation website.

Special edition

(3) The Chief Legislative Counsel may direct the Territorial Printer to publish a special edition of any Part of the *Nunavut Gazette* when the Chief Legislative Counsel is satisfied that it is appropriate to do so.

Contents of *Nunavut Gazette*

75. (1) The following documents must be published in the *Nunavut Gazette*:

- (a) regulations required to be published under subsection 58(1);
- (b) statements required to be published under subsection 54(2) or requested to be published under subsection 54(3);
- (c) notices and documents prescribed by regulation;
- (d) other notices that are required to be published in the *Nunavut Gazette* by law or by the Commissioner in Executive Council.

Additional content

(2) Any other document may be published in the *Nunavut Gazette* if the Chief Legislative Counsel considers it appropriate for the purpose of providing public notice or a public record of the document.

Annual indexes

76. The Territorial Printer must publish

- (a) an annual index of all regulations registered and published in the *Nunavut Gazette* during the preceding year; and
- (b) an annual index of all documents, other than regulations, that have been published in the *Nunavut Gazette* during the preceding year.

Distribution of *Nunavut Gazette*

77. (1) A copy of the *Nunavut Gazette* must be delivered by electronic means without charge to the following persons and bodies:

- (a) each public library in Nunavut;
- (b) each municipality in Nunavut;
- (c) each member of the Legislative Assembly;
- (d) the Clerk of the Legislative Assembly;
- (e) the Law Clerk of the Legislative Assembly;
- (f) a person or body that requests a subscription to the *Nunavut Gazette*.

Paper copies on request

(2) A person or body identified in paragraphs (1)(a) to (e) may request that a paper copy of the *Nunavut Gazette* be provided instead of or in addition to the electronic copy provided under subsection (1), and the paper copies will be provided without charge.

Public access

(3) Each public library and municipal office must make the *Nunavut Gazette* available for inspection by members of the public.

PART 7
ADMINISTRATION

Chief Legislative Counsel

78. (1) The Minister

- (a) must appoint a lawyer employed in the public service as Chief Legislative Counsel; and
- (b) may appoint other lawyers employed in the public service as legislative counsel.

Power of legislative counsel

(2) Legislative counsel have all the powers and may perform all the duties of the Chief Legislative Counsel, except those under subsections (3) to (5) and subsection 74(3).

Required duties

- (3) The Chief Legislative Counsel must direct
- (a) the drafting of all Bills that are proposed by members of the Executive Council and intended for introduction in the Legislative Assembly;
 - (b) on request by, and under the general direction of, the Clerk of the Legislative Assembly, the drafting of other Bills that are intended for introduction in the Legislative Assembly;
 - (c) the drafting of all regulations requested under subsection 51(1);
 - (d) on request by, and under the general direction of, the Clerk of the Legislative Assembly, the drafting of all regulations requested under subsection 51(2);
 - (e) the preparation of consolidations of Acts and regulations;
 - (f) the registration of regulations;
 - (g) the publication of Acts and regulations;
 - (h) the publication of the *Nunavut Gazette*; and
 - (i) such other duties related or incidental to legislation that are prescribed by regulation.

Additional duties

- (4) The Chief Legislative Counsel may direct
- (a) the drafting of regulations requested under subsection 51(3); and
 - (b) the preparation of revisions of Acts and regulations.

Recommendations

(5) The Chief Legislative Counsel may at any time make recommendations with respect to improvement of the laws.

Power to date instruments

- (6) When the Chief Legislative Counsel receives, for registration or publication under this Act, a regulation or other instrument that has not been dated,
- (a) it is deemed to have been made on the day it is received by the Chief Legislative Counsel; and
 - (b) the Chief Legislative Counsel must indicate on it the date on which it is received.

Definitions

79. (1) In this section,

"client" means one or more of the following:

- (a) the Government of Nunavut, including, for greater certainty, the Ministers responsible for public agencies,
- (b) the Legislative Assembly, including the Speaker, the Management and Services Board or an independent officer of the Legislative Assembly,

- (c) a regular member of the Legislative Assembly,
- (d) a regulatory authority referred to in subsection 51(3); (*client*)

"confidential information" means

- (a) drafting instructions received by counsel from a client,
- (b) communications between a client and counsel that relate to the subject-matter of the instructions,
- (c) draft legislation prepared or reviewed by counsel for a client, and
- (d) translations of any information referred to in paragraphs (a) to (c); (*renseignements confidentiels*)

"counsel" means

- (a) the Chief Legislative Counsel,
- (b) legislative counsel appointed under paragraph 78(1)(b), and
- (c) any other counsel engaged by the Chief Legislative Counsel; (*avocat*)

"office of the Chief Legislative Counsel" means the Chief Legislative Counsel and the positions in the public service directly or indirectly reporting to the Chief Legislative Counsel, and includes outside counsel or translators engaged by the Chief Legislative Counsel. (*bureau du premier conseiller législatif*)

Solicitor-client privilege

- (2) Confidential information is subject to solicitor-client privilege.

No waiver of solicitor-client privilege

(3) The solicitor-client privilege under subsection (2) is not waived if a client shares or authorizes the sharing of confidential information with another person or body on a confidential basis, including for the purposes of consultation.

Duty of loyalty and conflicts of interest

(4) Counsel may, despite any law or rule relating to conflicts of interest or duties of loyalty,

- (a) provide drafting and translation services, including advice, on any matter to any client;
- (b) provide the Government of Nunavut advice on draft legislation that has been made public or is otherwise lawfully available to the Government of Nunavut outside of the office of the Chief Legislative Counsel; and
- (c) provide the Government of Nunavut advice on any enactment.

Duty to provide advice

(5) If counsel provide any advice under paragraph (4)(b) that is substantially different from, or more extensive than, any advice they provided to the client for whom counsel drafted the draft legislation, they must provide substantially the same advice to that client.

Termination of duty

(6) The duty under subsection (5) ceases on the occurrence of one of the following:

- (a) the draft legislation becomes law, whether or not it is in force;
- (b) in the case of a Bill, it is no longer on the order paper of the Legislative Assembly;
- (c) the client decides to not proceed with the draft legislation.

Territorial Printer

80. (1) The Minister must appoint a person employed in the public service as the Territorial Printer.

Duties of Territorial Printer

(2) The Territorial Printer must

- (a) maintain the Nunavut Legislation website; and
- (b) perform such other publishing functions as are assigned to the Territorial Printer by law or by the Chief Legislative Counsel.

Delegation

(3) The Chief Legislative Counsel may delegate powers and duties to the Territorial Printer as necessary to carry out the publishing duties under this Act.

PART 8
REGULATIONS AND ORDER

Regulations

81. (1) The Minister may make regulations

- (a) respecting references to time, including time zones;
- (b) respecting additional means of electronic publication that may be used for the purposes of the Nunavut Legislation website;
- (c) respecting additional instruments or classes of instruments to which Parts 3 to 5 of this Act do not apply;
- (d) respecting the extent to which Parts 3 to 5 of this Act apply to an instrument or class of instruments described in section 50;
- (d.1) respecting the approval, transmission and registration of regulations and revised regulations by electronic means, or for the purpose of addressing technological change;
- (e) subject to any other Act, exempting from the application of subsection 58(1) any regulation or class of regulations if the Minister is satisfied that
 - (i) the regulation or class of regulations is likely to affect only a limited number or limited class of persons, and
 - (ii) reasonable measures are provided to give notice of the substance of a particular exempted regulation to persons likely to be affected by it, including publication on the website of the regulatory authority;

- (f) respecting the format or means of accessing official copies of documents from the Nunavut Legislation website;
- (g) respecting the content of each part of the *Nunavut Gazette*, and the editing and formatting of each part for publication;
- (h) respecting additional duties that may be assigned to the Chief Legislative Counsel; and
- (i) generally for the carrying into effect of this Act.

Public holiday order

(2) The Commissioner in Executive Council may make an order designating a day as a holiday.

PART 9
FINAL PROVISIONS

Transitional Provisions

Statements

82. Section 46 does not apply to Bills introduced prior to the coming into force of that section.

Repeal of existing not-in-force Acts

83. If, on the coming into force of section 49, an existing Act or provision of an Act has not been proclaimed into force more than 10 years following the most recent time it was enacted or amended, the year following the year in which that section comes into force is deemed to be the tenth year following the most recent time it was enacted or amended for the purposes of that section.

Order of the Commissioner in Executive Council

84. A provision in an Act providing that the Act or a portion of the Act is to come into force or be repealed on a day fixed by order of the Commissioner alone is deemed to require an order of the Commissioner in Executive Council.

Appointments continued

85. For greater certainty, the repeal of section 20.1 of the *Interpretation Act*, R.S.N.W.T. 1988,c.I-8, by this Act does not affect an appointment in effect at the time of the repeal.

Prescribed forms continued

86. Forms that were prescribed by regulation under an enactment prior to the coming into force of this Act remain valid until they are repealed.

Agreements continued

87. An agreement made by the Commissioner under any provision referred to in section 142 before the coming into force of that section is deemed to be, for the purposes

of the provision, an agreement made by the Minister responsible for the Act containing the provision.

Registrar of Regulations becomes Chief Legislative Counsel

88. (1) The person appointed as the Registrar of Regulations under *Statutory Instruments Act*, R.S.N.W.T. 1988,c.S-13, immediately before the coming into force of this Act is deemed to have been appointed as Chief Legislative Counsel under paragraph 78(1)(a) on the coming into force of this section.

Deputy registrars become legislative counsel

(2) A person appointed as a deputy Registrar of Regulations under the *Statutory Instruments Act*, R.S.N.W.T. 1988,c.S-13, immediately before the coming into force of this Act is deemed to have been appointed as a legislative counsel under paragraph 78(1)(b) on the coming into force of this section, to exercise all of the powers and duties of the Chief Legislative Counsel except those under subsections 74(3) and 78(3) to (5).

Territorial Printer

(3) The person appointed as the Territorial Printer under the *Public Printing Act*, R.S.N.W.T. 1988,c.P-15, immediately before the coming into force of this Act is deemed to have been appointed as the Territorial Printer under subsection 80(1) on the coming into force of this section.

Statutory instruments under former Act

89. (1) A statutory instrument registered under the *Statutory Instruments Act*, R.S.N.W.T. 1988,c.S-13, immediately before the coming into force of this Act is deemed to be a regulation registered under this Act, and continues to be valid and may be amended, enforced or otherwise dealt with as a regulation registered under this Act.

Non-statutory instruments continued as regulations

(2) An instrument registered and published in the *Nunavut Gazette* prior to the coming into force of this Act or in the *Northwest Territories Gazette* prior to April 1, 1999 as a non-statutory instrument is deemed to be a regulation registered under this Act, and continues to be valid and may be amended, enforced or otherwise dealt with as a regulation registered under this Act if it is

- (a) a regulation as defined in this Act; and
- (b) in force immediately before the coming into force of this Act.

Consequential amendments to regulations

90. (1) The Commissioner in Executive Council, on the recommendation of the Minister of Justice, may, prior to the coming into force of sections 94 to 147, make regulations amending any regulations under any Act for the purpose of consequentially amending those regulations in view of the anticipated coming into force of this Act.

Scope and coming into force

- (2) Regulations made under subsection (1)

- (a) may be similar in scope and substance to the consequential amendments to Acts made under this Act; and
- (b) must come into force on the same day as sections 94 to 147 of this Act come into force.

Related and consequential amendments

Evidence Act

91. (1) The *Evidence Act* is amended by this section.

(2) Section 38 is repealed and replaced by:

Judicial notice of Acts, regulations and ordinances

38. Judicial notice must be taken of

- (a) Acts of the Imperial Parliament;
- (b) Acts and regulations of Canada, Nunavut, a province or other territory; and
- (c) Acts and ordinances of the legislature of, or other legislative body or authority competent to make laws for, a British possession.

(3) Paragraphs 39(2)(a) and (b) are amended as follows:

- (a) subject to subsection (8), a copy of the *Nunavut Gazette*, the *Canada Gazette* or the official gazette of a province or territory or of a volume of the Acts of Nunavut, Canada, or a province or territory purporting to contain a copy of the state document or an extract from it or a notice of it;
- (b) subject to subsection (8), a copy of it or an extract from it purporting to be printed or published by or for or by authority of the Territorial Printer, or of the Queen's Printer for Canada or a province or territory; or

(4) Subsection (5) is amended as follows:

Official printer

(5) If a copy or extract that is tendered in evidence under this section purports to be printed or published by or for or under the authority of a legislature, government or Queen's Printer, it is not necessary to prove the authority, status or official position of the legislature, government or Queen's Printer.

(5) The following is added after subsection 39(5):

Proof of date of Assent

(6) In the absence of evidence to the contrary, if the date of Assent is specified in a copy of an Act referred to in subsection (8), it is proof of the date that the Act received Assent.

Proof of coming into force date

(7) In the absence of evidence to the contrary, if the date of coming into force of an enactment, or part of an enactment, is specified in a copy of the enactment referred to in subsection (8), it is proof that it came into force on that day.

Nunavut Legislation website

(8) A copy of a new, amending, consolidated or revised enactment, or an edition of or extract from the *Nunavut Gazette*, is a copy for the purposes of this section only if it

- (a) is accessed from the Nunavut Legislation website in a format prescribed by regulation under the *Legislation Act*; and
- (b) includes or is accompanied by a statement to the effect that it is an official copy, published by the authority of the Territorial Printer.

(6) Section 44 is renumbered as subsection 44(1).

(7) Subsection 44(1) is amended as follows:

Copies in official gazette

44. (1) Subject to subsection (2), all copies of official and other notices, advertisements and documents printed or published in the *Nunavut Gazette*, *Canada Gazette* or the official gazette of a province or territory are, in the absence of evidence to the contrary, proof of the originals, and of the contents of the originals.

(8) The following is added after subsection 44(1):

Nunavut Legislation website

(2) Subsection (1) only applies to an edition of the *Nunavut Gazette* if it

- (a) is accessed from the Nunavut Legislation website in a format prescribed by regulation under the *Legislation Act*; and
- (b) includes or is accompanied by a statement to the effect that it is an official copy, published by the authority of the Territorial Printer.

Legislative Assembly and Executive Council Act

92. The following is added after section 67 of the *Legislative Assembly and Executive Council Act*:

Establishment of departments

67.1. (1) The Commissioner in Executive Council, on the recommendation of the Premier, may make regulations

- (a) establishing departments, including determining their names; and
- (b) subject to subsection 67.2, assigning responsibilities to departments.

Exception

(2) For greater certainty, regulations made under subsection (1) may not

- (a) disestablish a department which has been established by another enactment; or
- (b) remove or transfer a responsibility which has been assigned to a department under another enactment.

Responsibility for Acts

67.2. (1) The Commissioner in Executive Council, on the recommendation of the Premier, may make regulations assigning responsibility for the administration of an Act or a provision of an Act to

- (a) a Minister and a department or public agency; or
- (b) the Legislative Assembly and its Speaker.

Division of responsibilities

(2) If a regulation made under subsection (1) assigns responsibility for the administration of an Act or a provision of an Act to more than one Minister or more than one department or public agency, the regulations must indicate the division of responsibilities.

Exception

(3) For greater certainty, regulations made under subsection (1) may not remove or transfer a responsibility which has been assigned to a Minister, a department, a public agency, the Legislative Assembly or its Speaker under another enactment.

Consent of Speaker

(4) The following regulations may only be made with the consent of the Speaker of the Legislative Assembly:

- (a) regulations under paragraph (1)(b);
- (b) regulations assigning responsibility for the administration of an Act or a provision of an Act that is, immediately prior to making the regulations, assigned to the Legislative Assembly and its Speaker.

Absent regulations

(5) If regulations made under this section do not specify responsibility for the administration of an Act or a provision of an Act, the responsibility for the administration for the Act or provision is assigned to,

- (a) if applicable, the Minister who introduced the Bill enacting the Act or provision in the Legislative Assembly and that Minister's department or public agency;
- (b) if the Bill enacting the Act or provision was introduced in the Legislative Assembly by a member of the Management and Services Board in that capacity, the Legislative Assembly and its Speaker; or
- (c) otherwise, the department or public agency whose responsibilities assigned under paragraph 67.1(1)(b) or under another enactment most closely reflect the subject-matter of the Act, and its Minister.

Definitions

67.3. (1) The definitions in subsection 1(1) of the *Financial Administration Act* apply to this section.

Financial considerations

(2) Despite the *Financial Administration Act*, if regulations made under section 67.1 or 67.2 have the effect of transferring a responsibility from one department or public agency to another, the Commissioner in Executive Council, on the recommendation of the Premier, may make regulations

- (a) transferring, from the department or public agency from which the responsibility is assigned to the department or public agency to which the responsibility is assigned, the unexpended portion of the amounts that are appropriated for the responsibility; and
- (b) amending the Estimates and appropriations as is necessary to effect the transfer of the unexpended amounts under paragraph (a).

Public Service Act

93. The following is added after section 5 of the *Public Service Act*:

Direction to public officer

5.1. (1) A deputy head may provide direction to a public officer employed in the public service who carries out an administrative function under an enactment that is administered by the department or public body of the deputy head respecting the exercise of the powers and performance of the duties of the public officer under the enactment.

Duty of public officer

(2) A public officer referred to in subsection (1) must exercise their powers and perform their duties in accordance with a direction made under that subsection.

Age of Majority Act

94. Section 3 and subsection 5(2) of the *Age of Majority Act* are amended by replacing "Legislative Assembly" with "Legislature".

Arbitration Act

95. Subsection 11(2) of the *Arbitration Act* is amended by deleting "clear".

Building Code Act

96. Section 31.1 of the *Building Code Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

31.1. Parts 3 to 5 of the *Legislation Act* do not apply to an order made under this Act.

Cannabis Act

97. Section 66 of the *Cannabis Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

66. Parts 3 to 5 of the *Legislation Act* do not apply to licences or contracts under this Act.

Child and Family Services Act

98. Subsection 92(2) of the *Child and Family Services Act* is amended by replacing "sections 35 to 37 of the *Interpretation Act*" with "sections 11, 13 and 18 of the *Legislation Act*".

Children's Law Act

99. Subsection 85(4) of the *Children's Law Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(4) For greater certainty, the guidelines referred to in subsection (1) are regulations to which Parts 3 to 5 of the *Legislation Act* apply.

Corrections Act

100. Subsection 5(5) of the *Corrections Act*, S.Nu. 2019,c.13 is repealed.

Emergency Measures Act

101. Subsection 11(6) of the *Emergency Measures Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(6) Parts 3 to 5 of the *Legislation Act* do not apply to a declaration of a state of emergency.

Financial Administration Act

102. The definition of "Deputy Minister" in subsection 1(1) of the *Financial Administration Act* is amended by replacing "*Interpretation Act*" with "*Public Service Act*".

Fire Safety Act

103. Subsection 5.01(8) of the *Fire Safety Act*, or section 5 for the *Act to Amend the Fire Prevention Act* if that section has not yet come into force, is amended by replacing "The *Statutory Instruments Act* does" with "Parts 3 to 5 of the *Legislation Act* do".

Human Rights Act

104. (1) The definition of "person" in section 1 of the *Human Rights Act* is amended by replacing "*Interpretation Act*" with "*Legislation Act*".

(2) Subsection 18(2) of the *Human Rights Act* is repealed.

Income Tax Act

105. Subsection 33(3) of the *Income Tax Act* is repealed and replaced by:

Publication required

(3) A regulation made under this Act has no effect unless it has been published in accordance with subsection 58(1) of the *Legislation Act*.

Insurance Act

106. Paragraph 45(5)(a) of the *Insurance Act* is amended by deleting "clear".

Inuit Language Protection Act

107. (1) The *Inuit Language Protection Act* is amended by this section.

(2) Subsection 17(3) is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(3) Parts 3 to 5 of the *Legislation Act* do not apply to rules and procedures established under subsection (2).

(3) Subsection 37.1(2) is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(2) Parts 3 to 5 of the *Legislation Act* do not apply to rules made under subsection (1).

Legal Profession Act

108. (1) Section 1.1 of the *Legal Profession Act* is repealed.

(2) Paragraph 7(a) of the *Legal Profession Act* is amended by replacing "by the *Interpretation Act*" with "under section 36 of the *Legislation Act*".

(3) Subsection 8(6.1) of the *Legal Profession Act* is repealed.

Legal Services Act

109. Section 11 of the *Legal Services Act* is amended by replacing "the *Interpretation Act*" with "section 36 of the *Legislation Act*".

Legislative Assembly and Executive Council Act

110. (1) This section amends the *Legislative Assembly and Executive Council Act*.

(2) Section 4 is amended by adding "under the Great Seal of Nunavut" after "proclamation".

(3) Section 58.5 is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

58.5. Parts 3 to 5 of the *Legislation Act* do not apply to a written declaration of Assent.

Liquor Act

111. Subsections 50(5) and (6) of the *Liquor Act* are repealed.

Mental Health Act

112. The following is added after section 19 of the *Mental Health Act*, R.S.N.W.T. 1988,c.M-10:

Application of Parts 3 to 5 of *Legislation Act*

19.01. Parts 3 to 5 of the *Legislation Act* do not apply to an approval given or an order made under sections 13 to 19.

Mine Health and Safety Act

113. Subsection 46(3) of the *Mine Health and Safety Act* is repealed.

Northern Employee Benefits Services Pension Plan Act

114. (1) Subsection 11(5) of the *Northern Employee Benefits Services Pension Plan Act* is repealed.

(2) Subsection 14(3) of the *Northern Employee Benefits Services Pension Plan Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(3) Parts 3 to 5 of the *Legislation Act* do not apply to the plan documents.

Nunavummi Nangminiaqtunik Ikajuuti Implementation Act

115. Paragraph 5(3)(b) of the *Nunavummi Nangminiaqtunik Ikajuuti Implementation Act* is amended by replacing "section 9 of the *Statutory Instruments Act*" with "subsection 58(1) of the *Legislation Act*".

Nunavut Development Corporation Act

116. Subsection 11(2) of the *Nunavut Development Corporation Act* is amended by replacing "section 17 of the *Interpretation Act*" with "section 36 of the *Legislation Act*".

Nunavut Elections Act

117. (1) The *Nunavut Elections Act* is amended by this section.

(2) Subsections 36(1) and 38(1) are amended by adding "under the Great Seal of Nunavut" after "proclamation".

(3) Section 218 is amended by

(a) repealing that part preceding paragraph (a) and replacing it by:

Application of Parts 3 to 5 of *Legislation Act*

218. Parts 3 to 5 of the *Legislation Act* do not apply to the following:

(b) repealing paragraph (d).

Nunavut Housing Corporation Act

118. Section 10 of the *Nunavut Housing Corporation Act* is amended by replacing "the *Interpretation Act*" with "section 36 of the *Legislation Act*".

Nunavut Teachers' Association Act

119. Subsection 2(3) of the *Nunavut Teachers' Association Act* is amended by replacing "by the *Interpretation Act*" with "under section 36 of the *Legislation Act*".

Official Languages Act

120. (1) Subsection 5(1) of the *Official Languages Act* is amended by replacing "Legislative Assembly" with "Legislature".

(2) Subsection 25.1(2) of the *Official Languages Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(2) Parts 3 to 5 of the *Legislation Act* do not apply to rules made under subsection (1).

Payroll Tax Act, 1993

121. (1) Subsection 23(6) and paragraph 26(5)(a) of the *Payroll Tax Act, 1993* is amended by replacing each occurrence of "three clear days" with "four days".

(2) Subsection 38(1) of the *Payroll Tax Act, 1993* is repealed and replaced with:

Minister's duty

38. (1) The Minister shall administer and enforce this Act and control and supervise all persons employed to carry out or enforce this Act.

Petroleum Products Tax Act

122. Section 20.1 of the *Petroleum Products Tax Act* is repealed and replaced with:

Minister's duty

20.1. The Minister shall administer and enforce this Act and control and supervise all persons employed to carry out or enforce this Act.

Planning Act

123. Subsection 32(6) of the *Planning Act* is amended

- (a) in paragraph (a) by replacing "two clear days" with "three days"; and
- (b) in paragraph (b) by replacing "seven clear days" with "eight days".

Plebiscites Act

124. Section 186 of the *Plebiscites Act* is amended

- (a) by repealing that part preceding paragraph (a) and replacing it by:

Application of Parts 3 to 5 of *Legislation Act*

186. Parts 3 to 5 of the *Legislation Act* do not apply to the following:

- (b) by repealing paragraph (c).

Public Health Act

125. (1) Paragraph 44(6)(f) of the *Public Health Act*, S.Nu. 2016,c.13, is amended by replacing "subsection 22(4) of the *Interpretation Act*" with "section 5.1 of the *Public Service Act*".

(2) Section 90 of the *Public Health Act*, S.Nu. 2016,c.13, is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

90. Parts 3 to 5 of the *Legislation Act* do not apply to a directive, direction, guideline or order made under this Act.

Public Inquiries Act

126. Section 10 of the *Public Inquiries Act* is amended by deleting "statutory".

Public Service Act

127. (1) The definition of "Agreement" in subsection 1(1) of the *Public Service Act* is repealed and replaced by:

"Agreement" means the Nunavut Agreement; (*Accord*)

(2) Paragraph 38(1)(a) of the *Public Service Act* is amended by replacing "Legislative Assembly" with "Legislature".

(3) Subsection 84(4) of the *Public Service Act* is repealed and replaced by:

Notice of directive

(4) A directive has no effect until all employees affected by the directive are given notice of the directive and its effect.

Qulliq Energy Corporation Act

128. Subsection 18.1(6) of the *Qulliq Energy Corporation Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

(6) Parts 3 to 5 of the *Legislation Act* do not apply to permissions granted or refused under this section.

Risk Capital Investment Tax Credits Act

129. Section 86 of the *Risk Capital Investment Tax Credits Act* is amended by deleting "under the *Statutory Instruments Act* on February 12, 1999" and ", despite section 8 of the *Statutory Instruments Act*".

Securities Act

130. The part of Section 174 of the *Securities Act* is amended by repealing that part preceding paragraph (a) and replacing it by:

Application of Parts 3 to 5 of *Legislation Act*

174. Parts 3 to 5 of the *Legislation Act* do not apply to the following:

Settlement of International Investment Disputes Act

131. (1) Subsection 4(1) of the *Settlement of International Investment Disputes Act* is amended by deleting "on the day on which it enters into force for Canada in accordance with paragraph 2 of Article 68 of the Convention".

(2) Section 13 of the *Settlement of International Investment Disputes Act* is repealed.

Technical Standards and Safety Act

132. Section 30 of the *Technical Standards and Safety Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

30. Parts 3 to 5 of the *Legislation Act* do not apply to safety orders issued by an inspector or chief inspector under this Act or the regulations.

Tobacco Tax Act

133. Section 20.2 of the *Tobacco Tax Act* is repealed.

Tourism Act

134. Subsection 7.1(2) of the *Tourism Act* is repealed.

Traffic Safety Act

135. (1) Section 348.1 of the *Traffic Safety Act* is repealed and replaced by:

Application of Parts 3 to 5 of *Legislation Act*

348.1. Parts 3 to 5 of the *Legislation Act* do not apply to an order made under this Act.

(2) Subsection 350(3) of the *Traffic Safety Act* is repealed.

Transportation of Dangerous Goods Act, 1990

136. Subsection 64(3) of the *Transportation of Dangerous Goods Act, 1990* is repealed.

Unlawful Property Forfeiture Act

137. Subsection 25(6) of the *Unlawful Property Forfeiture Act* is repealed.

Western Canada Lottery Act

138. (1) Subsection 6(2) of the *Western Canada Lottery Act* is repealed and replaced by:

Regulations

(2) The Western Canada Lottery Corporation may make regulations respecting the Western Canada Lottery.

(2) Section 7 of the *Western Canada Lottery Act* is amended by deleting “under the *Statutory Instruments Act*” wherever it appears.

Wildlife Act

139. (1) The definition of "Agreement" in section 2 of the *Wildlife Act* is repealed and replaced by:

"Agreement" means the Nunavut Agreement; (*Accord*)

(2) Section 203 of the *Wildlife Act* is repealed and replaced by:

Orders of Minister and Superintendent

203. (1) Despite section 59 of the *Legislation Act*, orders of the Minister and the Superintendent made under this Act apply with full effect immediately on registration.

Application of Parts 3 to 5 of *Legislation Act*

(2) Parts 3 to 5 of the *Legislation Act* do not apply to orders of conservation officers issued under this Act.

Workers' Compensation Act

140. (1) Subsection 1(4) of the *Worker's Compensation Act* is amended by replacing "Section 17 of the Interpretation Act" with "Section 36 of the *Legislation Act*".

(2) Subsection 170(1) of the *Workers' Compensation Act* is repealed.

(3) Subsection 170(4) of the *Workers' Compensation Act* is repealed and replaced by:

Application of *Legislation Act*

(4) Subsection 58(7) of the *Legislation Act* applies to a document incorporated by this section.

Young Offenders Act

141. Subsection 37(1), paragraph 40(2)(a) and subsection 48(1) and (2) of the *Young Offenders Act* is amended by replacing each occurrence of "five clear days" with "six days".

References to the Commissioner

142. (1) Each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "Commissioner" wherever it appears with "Minister":

Column 1	Column 2
<i>Adoption Act</i>	Paragraph 76(1)(z.f)
<i>All-terrain Vehicles Act</i>	Subsection 9.02(2)
<i>Arbitration Act</i>	Subsections 41(1) and (2)
<i>Archives Act</i>	Paragraph 6(2)(a) and subsection 11(1)
<i>Boilers and Pressure Vessels Act</i>	Subsections 3(1) and (2)
<i>Business Licence Act</i>	Subsection 2(3) and paragraph 12(i)
<i>Child and Family Service Act</i>	Paragraph 91(m)
<i>Child Day Care Act</i>	Paragraph 38(1)(n)

<i>Conflict of Interest Act</i>	Subsection 5(1) and (2)
<i>Coroners Act</i>	Paragraph 64(g)
<i>Corrections Act</i> , R.S.N.W.T. 1988,c.C-22	Paragraph 53(g)
<i>Credit Union Act</i>	Section 3, subsections 12(1), 66(2) and 78(1), paragraph 79(b) and subsection 80(1)
<i>Creditors Relief Act</i>	Paragraph 10(3)(b) and section 46
<i>Curfew Act</i>	Section 2
<i>Dental Auxiliaries Act</i>	Subsections 8(1) and 10(2), section 11 and paragraph 17(c)
<i>Dental Mechanics Act</i>	Sections 10 to 12, subsection 13(1) and section 16
<i>Dental Profession Act</i>	Paragraph 95(z.1)
<i>Disease Registries Act</i>	Paragraph 24(b)
<i>Dog Act</i>	Subsection 5(1) and paragraph 5(2)(a)
<i>Electrical Protection Act</i>	Subsections 3(1) and 17(2) and section 20
<i>Environmental Protection Act</i>	Subsection 34(2)
<i>Evidence Act</i>	Definition of "sound recording apparatus" in section 31, sections 73 and 77, subsection 79(1), including paragraphs (c) and (d), sections 81 and 86
<i>Family Support Orders Enforcement Act</i>	Paragraph 55(e)
<i>Film Classification Act</i>	Paragraph 7(f)
<i>Forest Protection Act</i>	Subsections 10(2) and 15(1), paragraphs 15(2)(c) and (e), section 16, subsection 17(1), section 21 and paragraphs 28(b) and (c)
<i>Freshwater Fish Marketing Act</i>	Sections 2 and 3
<i>Gas Protection Act</i>	Paragraph 9(1)(s)
<i>Guardianship and Trusteeship Act</i>	Paragraphs 64(1)(d) and (2)(c)
<i>Herd and Fencing Act</i>	Paragraph 9(5)(d)
<i>Historical Resources Act</i>	Subsections 2(1) and (2), 3(3) to (6), 5(1) and (2), section 6 and section 7, including paragraph (e)
<i>Hospital Insurance and Health and Social Services Administration Act</i>	Subsection 24(1)
<i>Income Assistance Act</i>	Subsection 17(1)
<i>Income Tax Collection Agreement Questions Act</i>	Section 2
<i>Judicature Act</i>	Subsections 61(1) and 67(1), section 78, and subsection 79(1)
<i>Labour Standards Act</i>	Subsections 40(1), 41(1), 41(4), 43(2), 44(2) and 45(3) and paragraph 72(f)
<i>Land Titles Act</i>	Paragraph 195(k)

<i>Legal Profession Act</i>	Paragraph 3(2)(a)
<i>Legal Services Act</i>	Paragraphs 11(k) and (l) and subsection 16(1)
<i>Library Act</i>	Sections 2 and 5 and paragraph 6(b)
<i>Liquor Act</i>	Subsection 15(1) to (3) and (7) and section 64
<i>Mental Health Act,</i> R.S.N.W.T. 1988,c.M-10	Paragraph 63(g)
<i>Mine Health and Safety Act</i>	Paragraph 45(zb)
<i>Nunavut Housing Corporation Act</i>	Subsections 37(2) and 39(1) and section 47
<i>Optometry Act</i>	Subsection 7(1) and (2), 8(1) and (2) and 9(1) and paragraph 16(b)
<i>Pawnbrokers and Second-hand Dealers Act</i>	Paragraph 18(c)
<i>Personal Property Security Act</i>	Paragraph 71(1)(w)
<i>Pharmacy Act</i>	Subsections 22(1) and (4), 23(1) and (2) and 24(3) and paragraph 27(c)
<i>Planning Act</i>	Paragraph 55(c)
<i>Public Health Act,</i> R.S.N.W.T. 1988,c.P-12	The definition of "sanitary inspector" in section 1, subsections 2(1), 3(1) and (2), 6(1), (2), (4) and (5) and 7(1), section 12, subsection 13(1), subparagraph 18(2)(b)(ii), subsections 20(1) and 21(2), section 24, subparagraph 25(1)(a)(v) and paragraph 25(1)(j)
<i>Public Highways Act</i>	Paragraph (a) of the definition of "highway authority" in section 1, subsection 2(1), section 3, subsection 4(1), section 5, including paragraph (a), sections 6, 7 and 9, subsection 10(1) subsection 10(2), including paragraph (b), section 12, subsections 14(1) and (3), subsection 14(5), including paragraph (c), subsection 14(6), including paragraph (b), subsection 16(1), paragraphs 16(2)(b) and (3)(c), subsections 17(1) and (5), 19(1), (4), (6) and (7), 20(5), 21(1) and (2), section 22, including paragraphs (a) and (b), subsection 23(1), sections 25 and 27 and paragraph 30(b)
<i>Public Inquiries Act</i>	Paragraph 12(c)
<i>Public Trustee Act</i>	Subsections 2(1) to (3), 33(1) and (3) and 38(1)
<i>Real Estate Agents' Licensing Act</i>	Paragraph 78(k)

<i>Reciprocal Enforcement of Judgments Act</i>	Subsections 8(1) and (2)
<i>Risk Capital Investment Tax Credits Act</i>	Paragraph 85(g)
<i>Student Financial Assistance Act</i>	Subsection 10(2)
<i>Summary Conviction Procedures Act</i>	Paragraph 12(f)
<i>Territorial Parks Act</i>	Paragraph 15(g)
<i>Traffic Safety Act</i>	Paragraph 349(z)
<i>Transportation of Dangerous Goods Act, 1990</i>	Paragraph 63(v)
<i>Trustee Act</i>	Paragraph 3(b)
<i>Veterinary Profession Act</i>	Subsection 7(1) and paragraph 12(b)
<i>Vital Statistics Act</i>	Subsection 22(6), including paragraph (b) and section 48
<i>Young Offenders Act</i>	Paragraph 8(1)(a) and subsection 92(1)

(2) Each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "Commissioner" wherever it appears with "Government of Nunavut":

Column 1	Column 2
<i>Labour Standards Act</i>	Paragraph 72(f)
<i>Legal Services Act</i>	Subsections 33(4), 50(3), 51(2) to (4), 52(2) and 52(4)
<i>Medical Profession Act</i> , R.S.N.W.T. 1988,c.M-9	Subparagraph 30(c)(i) and subsection 39(2)
<i>Nunavut Development Corporation Act</i>	Paragraph 12(1)(g)
<i>Nunavut Housing Corporation Act</i>	Paragraphs 2(2)(b) and (c), subsection 9(2), paragraph 19(1)(b) and subsection 39(2)
<i>Property Assessment and Taxation Act</i>	Paragraphs 4(1)(i) and 82(2)(a)
<i>Public Health Act</i> , R.S.N.W.T. 1988,c.P-12	Subsection 20(3)

(3) Each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "Commissioner, on the recommendation of the Minister," wherever it appears with "Minister":

Column 1	Column 2
<i>Adoption Act</i>	Subsection 76(1)
<i>All-terrain Vehicles Act</i>	Subsection 17(4) and section 18
<i>Apprenticeship, Trade and Occupations Certification Act</i>	Section 19
<i>Archives Act</i>	Subsection 11(2)
<i>Boilers and Pressure Vessels Act</i>	Subsection 57(1) and paragraph 57(2)(b)
<i>Building Code Act</i>	Subsections 31(1) and (1.1)

<i>Business Licence Act</i>	Section 12
<i>Cannabis Act</i>	Subsection 65(1)
<i>Change of Name Act</i>	Section 20
<i>Child and Family Services Act</i>	Section 91
<i>Child Day Care Act</i>	Subsections 38(1) and (2)
<i>Children's Law Act</i>	Sections 11 and 84 and subsections 85(1) and (2)
<i>Cities, Towns and Villages Act</i>	Section 212
<i>Commercial Tenancies Act</i>	Section 47
<i>Condominium Act</i>	Section 31
<i>Consumer Protection Act</i>	Subsection 104.4(1) and section 112
<i>Co-operative Associations Act</i>	Section 57
<i>Coroners Act</i>	Section 64
<i>Corrections Act, R.S.N.W.T. 1988,c.C-22</i>	Section 53
<i>Corrections Act, S.Nu. 2019,c.13</i>	Subsection 73(1)
<i>Credit Union Act</i>	Section 95
<i>Creditors Relief Act</i>	Section 50
<i>Curfew Act</i>	Section 7
<i>Dental Auxiliaries Act</i>	Section 17
<i>Dental Mechanics Act</i>	Section 19
<i>Dental Profession Act</i>	Section 95
<i>Disease Registries Act</i>	Section 24
<i>Dog Act</i>	Section 14
<i>Electrical Protection Act</i>	Subsections 22(1) and (2)
<i>Electronic Commerce Act</i>	Section 21, including paragraph (f)
<i>Emergency Measures Act</i>	Subsection 35(1), including paragraph (f), and subsection 35(2)
<i>Employment Agencies Act</i>	Section 4
<i>Environmental Protection Act</i>	Subsection 34(1)
<i>Evidence Act</i>	Section 87
<i>Exemptions Act</i>	Section 11, including paragraph (c)
<i>Explosive Use Act</i>	Section 13
<i>Expropriation Act</i>	Subsection 50(3)
<i>Family Abuse Intervention Act</i>	Section 53, including paragraph (g)
<i>Family Law Act</i>	Section 69
<i>Family Support Orders Enforcement Act</i>	Section 55
<i>Film Classification Act</i>	Section 7
<i>Fine Option Act</i>	Section 7
<i>Fire Safety Act</i>	Subsection 23(1)
<i>Forest Management Act</i>	Section 8, subsection 53(1), including paragraph (f) and subsection 53(2)
<i>Forest Protection Act</i>	Section 28
<i>Freshwater Fish Marketing Act</i>	Section 16
<i>Garage Keepers Lien Act</i>	Section 9
<i>Guardianship and Trusteeship Act</i>	Subsection 64(1) and (2)

<i>Hamlets Act</i>	Section 212
<i>Home Owners Property Tax Rebate Act</i>	Section 15
<i>Hospital Insurance and Health and Social Services Administration Act</i>	Subsection 28(1)
<i>Insurance Act</i>	Section 38, subsection 156(8), section 211.15, subsection 220(1) and sections 238 and 272
<i>Intercountry Adoption (Hague Convention) Act</i>	Section 10
<i>Interjurisdictional Support Orders Act</i>	Subsections 43(1) to (3) and section 44
<i>International Commercial Arbitration Act</i>	Section 12
<i>International Interests in Mobile Aircraft Equipment Act</i>	Subsection 11(1)
<i>Intestate Succession Act</i>	Section 14
<i>Judicature Act</i>	Section 82
<i>Jury Act</i>	Section 34, including paragraph (j)
<i>Labour Standards Act</i>	Section 65
<i>Land Titles Act</i>	Section 195
<i>Library Act</i>	Section 6
<i>Licensed Practical Nurses Act</i>	Section 31
<i>Liquor Act</i>	Section 11, subsection 49(5), section 54 and subsections 70(1) and (2)
<i>Marriage Act</i>	Section 57
<i>Mechanics Lien Act</i>	Subsection 33(1)
<i>Medical Care Act</i>	Section 30
<i>Medical Profession Act,</i> R.S.N.W.T. 1988,c.M-9	Section 51
<i>Mental Health Act,</i> R.S.N.W.T. 1988,c.M-10	Section 63
<i>Midwifery Profession Act</i>	Section 56
<i>Mine Health and Safety Act</i>	Section 45 and subsection 46(1)
<i>Miners Lien Act</i>	Section 15
<i>Nunavut Teachers' Association Act</i>	Section 31
<i>Optometry Act</i>	Section 16
<i>Partnership Act</i>	Section 109
<i>Payroll Tax Act, 1993</i>	Subsection 70(1)
<i>Pawnbrokers and Second-Hand Dealers Act</i>	Section 18
<i>Personal Property Security Act</i>	Subsection 71(1)
<i>Pesticide Act</i>	Section 10
<i>Pharmacy Act</i>	Section 27 and subsection 28(1)
<i>Planning Act</i>	Sections 54 and 55
<i>Powers of Attorney Act</i>	Section 28
<i>Property Assessment and Taxation Act</i>	Section 14, subsection 117(1) and section 137

<i>Public Health Act, R.S.N.W.T. 1988,c.P-12</i>	Subsection 25(2)
<i>Public Highways Act</i>	Section 30
<i>Public Inquiries Act</i>	Section 12
<i>Public Trustee Act</i>	Subsections 39(1) and (2)
<i>Qulliq Energy Corporation Act</i>	Section 54
<i>Real Estate Agents' Licensing Act</i>	Section 78
<i>Reciprocal Enforcement of Judgments (Canada-U.K) Act</i>	Section 9
<i>Residential Tenancies Act</i>	Section 92
<i>Risk Capital Investment Tax Credits Act</i>	Subsection 74(1) and section 85
<i>Seizures Act</i>	Section 45
<i>Senior Citizens Benefits Act</i>	Subsection 9(1)
<i>Settlement of International Investment Disputes Act</i>	Section 12
<i>Settlements Act</i>	Section 90
<i>Statistics Act</i>	Section 24, including paragraph (b)
<i>Student Financial Assistance Act</i>	Subsection 10(1)
<i>Summary Conviction Procedures Act</i>	Subsections 11(2) and 11(7) and section 12
<i>Territorial Parks Act</i>	Section 15
<i>Traffic Safety Act</i>	Section 349 and subsection 350(1)
<i>Transportation of Dangerous Goods Act, 1990</i>	Section 63 and subsection 64(1)
<i>Tourism Act</i>	Subsections 4(1) and (3) and 14(1) to (5)
<i>Unlawful Property Forfeiture Act</i>	Section 42
<i>Veterinary Profession Act</i>	Section 12
<i>Victims of Crime Act</i>	Section 20
<i>Vital Statistics Act</i>	Subsection 60(1)
<i>Workers' Compensation Act</i>	Section 169
<i>Young Offenders Act</i>	Section 95

(4) Subsection 17(1) of the *All-terrain Vehicles Act* is amended by replacing "Commissioner, on the request of the elected body representing a regulated area and on the recommendation of the Minister," with "Minister, on the request of the elected body representing a regulated area,".

(5) Section 2 of the *Archives Act* is amended by replacing "or order of a court or the Commissioner" with ", order of a court or the regulations".

(6) Section 6 of the *Area Development Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(7) Subsection 50(6) of the *Boilers and Pressure Vessels Act* is amended by replacing "Commissioner" with "Nunavut Court of Justice".

(8) Section 20 of the *Change of Name Act* is amended by replacing the second occurrence of "Commissioner" with "Minister".

(9) Section 34 of the *Child Day Care Act* is amended by deleting "Commissioner and the".

(10) Section 31 of the *Corrections Act*, R.S.N.W.T. 1988,c.C-22 is amended by deleting "and the Commissioner".

(11) Section 95 of the *Credit Union Act* is amended by replacing the second occurrence of "Commissioner" with "Minister".

(12) Subsection 16(1) of the *Disease Registries Act* is amended by deleting "and the Commissioner".

(13) Subsection 22(1) of the *Electrical Protection Act* is amended by replacing the second occurrence of "Commissioner" with "Minister".

(14) Section 4 of the *Employment Agencies Act* is amended by replacing the second occurrence of "Commissioner" with "Minister".

(15) Subsection 2.1(2) of the *Environmental Protection Act* is amended by deleting "and the Commissioner".

(16) The following provisions of the *Expropriation Act* are amended by adding "in Executive Council" after each occurrence of "Commissioner":

- (a) definition of "expropriating authority" in section 1;**
- (b) section 3, including paragraph (b);**
- (c) subsection 38(1).**

(17) Subsection 21(2) of the *Financial Administration Act* is amended by replacing "Commissioner, on the recommendation of the Executive Council," with "Commissioner in Executive Council".

(18) Section 67 of the *Financial Administration Act* is amended

- (a) in subsection (1) by replacing "Commissioner" with "Minister of Finance"; and**
- (b) by repealing subsection (3).**

(19) The definition of "appropriate Minister" in section 75 of the *Financial Administration Act* is amended by deleting "or the Commissioner, where the Commissioner is made responsible for a public agency".

(20) Subsection 87(1) of the *Financial Administration Act* is amended by deleting "the Commissioner and".

(21) Subsection 107(1) of the *Financial Administration Act* is amended by replacing "The Commissioner, on the recommendation of the Board," with "The Board".

(22) Section 108 of the *Financial Administration Act* is amended by replacing "Commissioner, on the recommendation of the Minister responsible for a department or public agency," with "Minister responsible for a department or public agency".

(23) Subsection 9(2) of the *Forest Management Act* is amended by deleting "and the Commissioner".

(24) Section 28 of the *Forest Protection Act* is amended by replacing the second occurrence of "Commissioner" with "Minister".

(25) Subsection 9(1) of the *Gas Protection Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(26) Paragraph 9(5)(d) of the *Herd and Fencing Act* is amended by replacing "Commissioner" with "Minister of Finance".

(27) Subsection 5(2) of the *Hotel Keepers Act* is amended by replacing "Commissioner" with "Minister of Finance".

(28) Section 16 of the *Income Assistance Act* is amended by replacing " On the recommendation of the Minister, the Commissioner may make regulations that the Commissioner " with "The Minister may make regulations that the Minister".

(29) Subsection 1(1) of the *Income Tax Act* is amended by deleting the definitions of "Commissioner", "Minister" and "regulation" and adding the following definitions in alphabetical order:

"federal Minister" means the federal Minister of National Revenue; (*ministre fédéral*)

"Minister of Finance" means, unless the context requires otherwise, the Minister responsible for this Act or, if a collection agreement is entered into, means

- (a) in relation to the remittance of any amount as or on account of tax payable under this Act, the Receiver General for Canada,
- (b) in relation to the remission under section 32.1 of any amount as or on account of tax, interest or penalty paid under this Act, the federal Minister, and
- (c) in relation to the administration and enforcement of this Act, other than sections 57 and 61, the federal Minister;
(*ministre des Finances*)

(30) The following provisions of the *Income Tax Act* are amended by replacing "Commissioner" with "Minister of Finance":

- (a) the definitions of "Minister" and "Receiver General for Canada" in subsection 1(1);**
- (b) paragraph 3.2(1)(a);**
- (c) subsection 4.1(4);**
- (d) subsection 7(5);**
- (e) subsections 9(1) and (3);**
- (f) subsections 10(1) and (3);**
- (g) subsections 12(1) and (2);**
- (h) subsection 15(1);**
- (i) subsection 16(1);**
- (j) section 17;**
- (k) subsection 22(2);**
- (l) subsection 23(2);**
- (m) subsections 26(3) and (4);**
- (n) subsection 27(1);**
- (o) section 32.1, including paragraph (c);**
- (p) subsection 35(2);**
- (q) section 36;**
- (r) subsection 42(2);**
- (s) subsection 44(1);**
- (t) paragraphs 53(1)(a) to (c);**
- (u) paragraph 53(2)(a)**
- (v) subsections 56(12.1), (15) and (17);**
- (w) subsection 57(1) to (3);**
- (x) section 59;**
- (y) subsections 61(2), (3) and (8).**

(31) The following provisions of the *Income Tax Act* are amended by replacing "Minister" with "federal Minister", except where it appears as part of "Minister of Finance":

- (a) paragraph (b) of the definition of "return of income" in subsection 3.1(1);**
- (b) subsection 3.3(1) to (3) and paragraphs 3.3(4)(b), 3.3(5)(b) and 3.3(6)(b);**
- (c) subsection 6(1);**
- (d) section 52;**
- (e) paragraphs 53(2)(a) and (b);**
- (f) subsection 56(18);**
- (g) subsections 56.2(4) and (5);**
- (h) subsection 57(3) and paragraph 57(4)(a);**
- (i) subsections 58(1) and (2);**
- (j) subsection 61(3) and paragraph 61(8)(b).**

- (32) The Table in paragraph 1(7)(f) of the *Income Tax Act* is amended by**
- (a) replacing the first occurrence of "Commissioner" in the right-most column by "Government of Nunavut"; and**
 - (b) replacing the second occurrence of "Commissioner" in the right-most column by "Minister of Finance".**

(33) The following is added after subsection 1(7) of the *Income Tax Act*:

Reference to Minister in federal provisions

(8) A reference to "Minister" in a provision of the federal Act that is incorporated by reference in this Act is to be read

- (a) if a collection agreement has been entered into, as a reference to the federal Minister; or
- (b) if a collection agreement has not been entered into, as a reference to the Minister of Finance.

(34) Subsections 33(1) and 62(3) of the *Income Tax Act* are amended by replacing "Commissioner, on the recommendation of the Minister responsible for this Act," with "Minister responsible for this Act".

(35) Paragraph 53(2)(b) of the *Income Tax Act* is amended by replacing "Commissioner" with "Minister of Finance under this Act".

(36) Subsection 56(18) of the *Income Tax Act* is amended by replacing the second and third occurrences of "Commissioner" with "Minister of Finance".

(37) Section 253 of the *Insurance Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(38) Section 55 of the *Integrity Act* is amended by replacing "Commissioner" with "Commissioner in Executive Council".

- (39) Section 8 of the *International Child Abduction Act* is amended by**
- (a) replacing "Commissioner, on the recommendation of the Minister responsible for justice," with "Minister of Justice"; and**
 - (b) replacing the second occurrence of "Commissioner" with "Minister of Justice".**

(40) Section 9 of the *Interprovincial Subpoenas Act* is amended by replacing "On the recommendation of the Minister, the Commissioner may make regulations that the Commissioner" with "The Minister may make regulations that the Minister".

(41) Subsection 44.1(2) of the *Inuit Language Protection Act* is amended by replacing "subject to the approval of the Commissioner" with "under sections 59 and 60 of the *Judicature Act*".

(42) Subsection 3.1(1) of the *Justices of the Peace Act* is amended by adding "in Executive Council" after "Commissioner".

(43) Sections 14 and 21 of the *Labour Standards Act* are amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(44) Section 72 of the *Labour Standards Act* is amended by replacing "On the recommendation of the Minister, the Commissioner may make the regulations that the Commissioner" with "The Minister may make regulations that the Minister".

(45) Subsection 53(1) of the *Legal Services Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(46) Paragraph 4(1)(a) of the *Legislative Assembly Retiring Allowances Act* is amended by replacing "Commissioner" with "Minister of Finance".

(47) Subsection 110(5) of the *Liquor Act* is amended by replacing the first occurrence of "Commissioner" with "Government of Nunavut" and the second occurrence of "Commissioner" with "Minister".

(47.1) Section 1 of the *Lotteries Act* is amended by replacing "Commissioner" with "Commissioner in Executive Council".

(47.2) Section 4 of the *Lotteries Act* is amended by replacing "Commissioner, on the recommendation of the Minister," with "Commissioner in Executive Council".

(48) Section 49 of the *Nunavut Housing Corporation Act* is repealed.

(49) The English version of section 31 of the *Nunavut Teachers' Association Act* is amended by replacing the second occurrence of "Commissioner" with "Minister".

(50) Subsections 1(1) and 1(3) and section 2 of the *NWT Energy Corporation Ltd. Loan Guarantee Act* are amended by replacing "Commissioner" wherever it appears with "Minister of Finance".

(51) Section 3 of the *NWT Energy Corporation Ltd. Loan Guarantee Act* is repealed.

(52) Section 5 of the *NWT Energy Corporation Ltd. Loan Guarantee Act* is amended by replacing "Commissioner, on the recommendation of the Minister of Finance, may make such regulations as the Commissioner" with "The Minister of Finance may make such regulations and the Minister of Finance".

(53) Section 10 of the *Official Languages Act* is amended by replacing "subject to the approval of the Commissioner" with "under sections 59 and 60 of the *Judicature Act*".

(54) Section 22 of the *Ophthalmic Medical Assistants Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(55) Section 12 of the *Optometry Act* is amended by replacing "the Commissioner, in the Commissioner's discretion" with "the Minister, in the Minister's discretion".

(56) Paragraph 4(1)(i) of the *Property Assessment and Taxation Act* is amended by replacing "Commissioner" with "Government of Nunavut, whether in the name of the Commissioner or otherwise,".

(57) Subsection 73.1(4) of the *Property Assessment and Taxation Act* is amended by replacing "Commissioner, on the recommendation of the Minister of Finance," with "Minister of Finance".

(58) Paragraph 82(2)(a) of the *Property Assessment and Taxation Act* is amended by replacing "Commissioner" with "Minister of Finance".

(59) Subparagraph 88(2)(g)(iii) of the *Property Assessment and Taxation Act* is repealed and replaced by

- (iii) any other tax, levy, expense or charge applicable to the taxable property that is entitled to be recovered by the municipal taxing authority or the Government of Nunavut, whether in the name of the Commissioner or otherwise, as if it were a tax on property or a property tax;

(60) Subparagraph 89(2)(e)(ii) of the *Property Assessment and Taxation Act* is repealed and replaced by

- (ii) any other tax, levy, expense or charge applicable to the taxable property that is entitled to be recovered by the municipal taxing authority or the Government of Nunavut, whether in the name of the Commissioner or otherwise, as if it were a tax on property or a property tax;

(61) Subsection 117(2) of the *Property Assessment and Taxation Act* is amended by replacing "Commissioner, on the recommendation of the Minister of Finance," with "Minister of Finance".

(62) Subsection 117(3) of the *Property Assessment and Taxation Act* is amended by replacing "The Commissioner, on the recommendation of the Minister and the Minister of Finance," with "The Minister, on the recommendation of the Minister of Finance,".

(63) Section 20 of the *Psychologists Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(64) Subsection 25(1) of the *Public Health Act, R.S.N.W.T. 1988,c.P-12*, is amended by replacing "On the recommendation of the Minister, the Commissioner may make regulations that the Commissioner" with "The Minister may make regulations that the Minister".

(65) Subsection 30(1) of the *Public Trustee Act* is amended by replacing "Commissioner" with "Minister of Finance".

(66) Section 25 of the *Safety Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(67) Section 8 of the *Scientists Act* is amended by replacing " The Commissioner, on the recommendation of the Minister, may make such regulations as the Commissioner" with "The Minister may make such regulations as the Minister".

(68) Paragraph (b) of the definition of "rules" is subsection 1(1) of the *Securities Act* is amended by adding "in Executive Council" after "Commissioner".

(69) Section 5 of the *Senior Citizens and Disabled Persons Property Tax Relief Act* is repealed and replaced by:

Regulations

5. (1) The Minister responsible for municipal and community affairs may make regulations
- (a) prescribing conditions on which a payment under section 3 may be made; and
 - (b) respecting any matter within the Minister's jurisdiction that the Minister considers necessary or advisable to carry out the intent or purpose of this Act.

Same

- (2) The Minister of Finance may make regulations
- (a) prescribing conditions on which an exemption under section 4 may be made; and
 - (b) respecting any matter within the Minister's jurisdiction that the Minister considers necessary or advisable to carry out the intent or purpose of this Act.

(70) Section 7 of the *Senior Citizens Benefits Act* is amended by deleting "and the Commissioner".

(71) Section 32 of the *Societies Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister".

(72) Section 12 of the *Student Financial Assistance Act* is amended by replacing "Commissioner may, on the recommendation of the Minister," with "Minister may".

(73) Subsection 14(1) of the *Student Financial Assistance Act* is amended by replacing "On the recommendation of the Minister, the Commissioner may make regulations that the Commissioner " with "The Minister may make regulations that the Minister".

(74) Subsection 56(1) of the *Technical Standards and Safety Act* is amended by

- (a) replacing "The Commissioner upon the recommendation of the Minister" with "The Minister";**
- (b) deleting the colon preceding paragraph (a); and**
- (c) adding "and" at the end of paragraph (s).**

(75) Subsection 57(1) of the *Technical Standards and Safety Act* is amended by

- (a) replacing "The Commissioner may make regulations upon the recommendation of the Minister:" with "The Minister may make regulations"; and**
- (b) adding "and" at the end of paragraph (a).**

(76) Subsection 6(3) of the *Territorial Parks Act* is amended by deleting "and the Commissioner".

(77) Section 29 of the *Tobacco Tax Act* is amended by replacing "On the recommendation of the Minister, the Commissioner" with "The Minister"

(78) Subsection 328(2) of the *Traffic Safety Act* is amended by deleting "and the Commissioner".

(79) Subsection 39(2) of the *Transportation of Dangerous Goods Act, 1990* is amended by deleting "and the Commissioner".

(80) Subsection 40(2) of the *Transportation of Dangerous Goods Act, 1990* is amended by replacing "a recommendation to the Commissioner" with "regulations".

(81) Subsection 8(2) of the *Veterinary Profession Act* is amended by replacing "the Commissioner, in the Commissioner's discretion" with "the Minister, in the Minister's discretion".

(82) Sections 2 and 4 of the *Water Resources Agreement Act* is amended by deleting "Commissioner and the".

(83) Section 3 of the *Water Resources Agreement Act* is repealed.

(83.1) Subsection 6(1) of the *Western Canada Lottery Act* is amended by replacing "Commissioner, on the recommendation of the Minister," with "Commissioner in Executive Council".

(84) Paragraph 241(1)(a) of the *Wildlife Act* is amended by replacing "Commissioner" with "Minister of Justice".

(85) Section 28.1 of the *Young Offenders Act* is repealed.

(86) Section 33 of the *Young Offenders Act* is repealed and replaced by:

Reciprocating jurisdiction

33. When the Minister is satisfied that reciprocal provisions are made or will be made by a jurisdiction for the enforcement of dispositions made in Nunavut, the Minister may by order declare it to be a reciprocating jurisdiction for the purposes of this Act.

References to the Nunavut Agreement

143. Each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "Nunavut Land Claims Agreement" wherever it appears with "Nunavut Agreement", except where it appears as a part of "*Nunavut Land Claims Agreement Act (Canada)*":

Column 1	Column 2
<i>Cities, Towns and Villages Act</i>	Section 1
<i>Collaboration for Poverty Reduction Act</i>	Preamble and section 2
<i>Corrections Act</i> , S.Nu. 2019,c.13	Paragraphs 3(c) and 61(2)(f)
<i>Education Act</i>	Preamble, subparagraphs 3(3)(b)(i) and (ii), and section 121
<i>Family Support Orders Enforcement Act</i>	Subsection 1(1)
<i>Hamlets Act</i>	Section 1
<i>Human Rights Act</i>	Section 3
<i>Inuit Language Protection Act</i>	Preamble, subparagraphs 2(1)(b)(i) and (ii), paragraph 19(b), and subsections 44(1) and (4)
<i>Legislative Assembly and Executive Council Act</i>	Paragraph 10(3)(b)

<i>Nunavummi Nangminiqagtunik Ikajuuti Implementation Act</i>	Subsections 1(1) and 5(1) and paragraph 5(2)(1)
<i>Official Languages Act</i>	Preamble, subparagraphs 2(1)(b)(i) and (ii), paragraph 13(3)(c), and subsections 38(1) and (4)
<i>Statistics Act</i>	Paragraph 5(1)(a.1)
<i>Tourism Act</i>	Subsection 4(5)
<i>Unlawful Property Forfeiture Act</i>	Paragraph 13(1)(c) and subparagraph 13(2)(a)(iv)
<i>Wildlife Act</i>	Subsection 1(1), and paragraphs 1(2)(c) and (g)

References to Great Seal of Nunavut

144. (1) Each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "Seal" with "Great Seal of Nunavut" wherever it appears:

Column 1	Column 2
<i>Commissioner's Land Act</i>	Paragraph 3(2)(c)
<i>Legislative Assembly and Executive Council Act</i>	Subsections 64(1) and 66(1)

(2) Paragraph 39(2)(c) of the *Evidence Act* is amended by adding "Great" before "Seal of Nunavut".

(3) The English version of subsection 9(2) of the *Order of Nunavut Act* is amended by replacing "great seal of Nunavut" with "Great Seal of Nunavut".

References to Enactments

145. (1) The French version of each of the following Acts listed in column 1 is amended in each provision listed in column 2, by adding "législatif" after "texte" and "législatifs" after "textes" wherever they appear:

Column 1	Column 2
<i>All-terrain Vehicles Act</i>	Paragraph 12(1)(b)
<i>Cannabis Act</i>	The definition of "illicit cannabis" in subsection 2(1), paragraphs 26(2)(a) and (b), 63(4)(d) and 63(6)(a)
<i>Financial Administration Act</i>	Subsections 18(1) and 20(2), the definitions of "penalty" and "tax" in subsection 21(1), sections 23 and 27, paragraph 31(2)(b), subsections 66(1), 67(4), 67.3(2), 69(3), 78(4), 78(6), 88(3), and 90(2), and subparagraphs 105(e)(i) and (ii)
<i>Insurance Act</i>	Subsection 9(5)

<i>Judicature Act</i>	Section 20, subsection 58(1), paragraph 58(2)(a), subsections 58(4) and 60(1), section 83, and subsections 92(1) and (2)
<i>Land Titles Act</i>	Paragraph 195(d)
<i>Legislative Assembly and Executive Council Act</i>	Subsection 1(2)
<i>Personal Property Security Act</i>	Paragraph 71(1)(e) and subparagraph 71(1)(h)(ii)
<i>Public Inquiries Act</i>	Section 11
<i>Qulliq Energy Corporation Act</i>	Subsection 14(1),
<i>Sale of Goods Act</i>	Subsection 2(2) and paragraph 25(2)(a)
<i>Transportation of Dangerous Goods Act, 1990</i>	Subsection 3(3)
<i>Victims of Crime Act</i>	Subsection 12(1)
<i>Young Offenders Act</i>	The definition of "offence" in subsection 1(1), subsection 5(1), section 20 including paragraph (h), subsection 69(2)

(2) The French version of subsection 54.5(1) of the *Cities, Towns and Villages Act* is amended by replacing "une disposition législative" with "un texte législatif".

(3) The French version of section 184 of the *Cities, Towns and Villages Act* is amended by replacing "toute autre loi" with "tout autre texte législatif".

(4) The French version of subsection 11(1) of the *Dependants Relief Act* is amended by replacing "lois" with "textes législatifs".

(5) The French version of subsection 2(3) of the *Environmental Rights Act* is amended by replacing "toute autre loi" with "tout autre texte législatif".

(6) The French version of paragraph 8(c) of the *Financial Administration Act* is amended by replacing "toute autre loi" with "tout autre texte législatif".

(7) The French version of subsection 54.5(1) of the *Hamlets Act* is amended by replacing "une disposition législative" with "un texte législatif".

(8) The French version of section 184 of the *Hamlets Act* is amended by replacing "toute autre loi" with "tout autre texte législatif".

(9) The French version of paragraph 12.3(3)(d) of the *Income Assistance Act* is amended by replacing "une autre" with "un texte législatif d'une autre".

(10) The French version of the definition of "workers' compensation insurance" in subsection 1(1) of the *Insurance Act* is amended by replacing "une autre loi" with "un autre texte législatif".

(11) The French version of subsection 41.1(3) of the *Integrity Act* is amended by replacing "d'une autre disposition législative" with "d'un autre texte législatif".

(12) The French version of paragraph 22(2)(d) of the *Land Titles Act* is amended by replacing "lois" with "textes législatifs".

(13) The French version of subsection 156(1) of the *Land Titles Act* is amended by replacing "loi" with "texte législatif".

(14) The French version of paragraph 2(1)(c) and subsection 2(2) of the *Legal Treatment of Apologies Act* is amended by replacing "texte de loi" with "texte législatif".

(15) The French version of the definition of "insured services" in section 1 of the *Medical Care Act* is amended by replacing "une autre loi" with "un autre texte législatif".

(16) The French version of paragraph 7(1)(c) of the *Nunavut Elections Act* is amended by replacing "une loi" with "un texte législatif".

(17) The French version of subsection 45(4) of the *Payroll Tax Act, 1993* is amended by deleting "territorial".

(18) The French version of paragraph 117(1)(f) of the *Property Assessment and Taxation Act* is amended by replacing "une disposition législative" with "un texte législatif".

(19) The French version of section 2.1 of the *Public Trustee Act* is amended by replacing "une autre loi" with "un autre texte législatif".

(20) The French version of paragraph 39(1)(c) of the *Public Trustee Act* is amended by replacing "toute autre disposition" with "tout autre texte législatif".

(21) The French version of subsection 8(2) of the *Reciprocal Enforcement of Judgments (Canada-U.K.) Act* is amended by replacing "toute autre loi" with "tout autre texte législatif".

(22) The French version of subsection 2(2) of the *Statistics Act* is amended by deleting "ou réglementaire".

(23) The French version of paragraph 326.1(2)(e) of the *Traffic Safety Act* is amended by replacing "une autre" with "un texte législatif d'une autre".

(24) The French version of subsection 58(2) of the *Wildlife Act* is amended by replacing "textes de loi" with "textes législatifs".

(25) The French versions of the following provisions of the *Workers' Compensation Act* are amended by replacing "texte de loi" with "texte législatif":

- (a) subsections 1(3) and (4);
- (b) paragraph 67(3)(b);
- (c) subsection 144(1);
- (d) subsection 168(7);
- (e) paragraph 168(8)(b);
- (f) subsection 172(1).

(26) The French versions of the following provisions of the *Workers' Compensation Act* are amended by replacing "textes de loi" with "textes législatifs":

- (a) paragraph 67(4)(c);
- (b) paragraph 89(b);
- (c) subsection 106(1);
- (d) paragraph 168(3)(a);
- (e) paragraph 168(8)(a).

References to Public Officers

146. (1) The French version of each of the following Acts listed in column 1 is amended in each provision listed in column 2, by adding "public" after "fonctionnaire" wherever it appears:

Column 1	Column 2
<i>Defamation Act</i>	Subsection 11(3)
<i>Evidence Act</i>	Subsections 54(1) and (2)

(2) The French version of paragraph (b) of the definition of "officer" in the *Building Code Act* is amended by replacing "agent" with "fonctionnaire" wherever it appears.

(3) The French version of subsection 53(1) of the *Family Support Orders Enforcement Act* is amended by replacing "désigné" with "public".

(4) The *Land Titles Act* is amended

- (a) in the title preceding section 6 by adding "Public" before "Officers"; and
- (b) in subsection 142(1) by adding "public" before "officer".

(5) The French version of paragraph 44(6)(f) of the *Public Health Act*, S.Nu. 2016,c.13 is amended by adding "publics" after "fonctionnaires".

Acts binding on the Government of Nunavut

147. (1) Each of the following Acts listed in column 1 is amended by repealing each provision of the Act listed in column 2:

Column 1	Column 2
<i>Access to Information and Protection of Privacy Act</i>	Subsection 3(3)
<i>Children's Law Act</i>	Subsections 33(5) and 65(6)
<i>Coroners Act</i>	Section 2
<i>Electronic Commerce Act</i>	Section 2
<i>Emergency Measures Act</i>	Section 3 and the heading preceding it
<i>Environmental Protection Act</i>	Section 1.1
<i>Environmental Rights Act</i>	Subsection 2(4)
<i>Family Law Act</i>	Subsection 27(6) and paragraph 49(3)(a)
<i>Family Support Orders Enforcement Act</i>	Section 2
<i>Financial Administration Act</i>	Section 2 and the heading preceding it
<i>Fire Safety Act</i>	Section 1.1 and the heading preceding it
<i>Gas Protection Act</i>	Section 3
<i>Human Rights Act</i>	Section 6
<i>International Commercial Arbitration Act</i>	Subsection 3(1)
<i>International Interests in Mobile Aircraft Equipment Act</i>	Section 8
<i>International Sales Conventions Act</i>	Section 3
<i>Land Titles Act</i>	Section 2 and the heading preceding it
<i>Nunavut Elections Act</i>	Subsection 3(2)
<i>Payroll Tax Act, 1993</i>	Section 2
<i>Personal Property Security Act</i>	Section 4
<i>Plebiscites Act</i>	Subsection 3(2)
<i>Public Health Act, S.Nu. 2016,c. 13</i>	Section 4
<i>Residential Tenancies Act</i>	Paragraph 8(a)
<i>Safety Act</i>	Section 3 and the heading preceding it
<i>Statistics Act</i>	Section 3
<i>Technical Standards and Safety Act</i>	Section 2
<i>Tobacco Control and Smoke-Free Places Act</i>	Subsection 2(2)
<i>Traffic Safety Act</i>	Section 2 and the heading preceding it
<i>Transportation of Dangerous Goods Act, 1990</i>	Section 2 and the heading preceding it
<i>Wildlife Act</i>	Paragraph 7(a)
<i>Workers' Compensation Act</i>	Section 2 and the heading preceding it

(2) The following is added after section 1 of the *Garage Keepers Lien Act*:

Public property

1.1. This Act does not apply to any property of the Government of Nunavut or of a public agency.

(3) The following is added after subsection 2(4) of the *Labour Standards Act*:

Public service

(5) This Act does not apply to employment in the public service.

(4) The following is added after section 31 of the *Mechanics Lien Act*:

PUBLIC PROPERTY

No lien on public property

31.1. (1) If the Government of Nunavut or a public agency is an owner, a lien created by this Act does not attach to the interest of the Government of Nunavut or the public agency, or to any land occupied or enjoyed in connection with the interest, but constitutes a charge on amounts the owner is entitled to hold back under section 6.

Notice in lieu of registration

(2) A person who is claiming a lien on the holdback under this section must give written notice of the lien to the owner in the manner prescribed by regulation.

Contents and effect

(3) The written notice under subsection (2)

- (a) must contain the information referred to in paragraphs 17(1)(a) to (f), with the necessary modifications;
- (b) must be given within the times allowed for registration of a lien under sections 21 and 22; and
- (c) is, for the purposes of this Act, equivalent to the registration of a lien under this Act and this Act applies to the lien, the lien holder and the owner, with such modifications as the circumstances require, as though the giving of the notice were registration of the lien under this Act.

Commissioner's lands

(4) A lien created by this Act does not attach to the interest of the Commissioner in Commissioner's lands as defined in the *Commissioner's Lands Act*.

(5) The following is added after subsection 32(4) of the *Mechanics Lien Act*:

No lien on public property

(5) This section does not apply to any property of the Government of Nunavut or of a public agency.

(6) Subsection 33(1) of the *Mechanics Lien Act* is amended by deleting "and" at the end of paragraph (d), replacing the period at the end of paragraph (e) with "; and" and adding the following after paragraph (e):

- (f) prescribing the manner of giving notice under subsection 31.1(2).

(7) The following is added after section 1 of the *Miners Lien Act*:

No lien on public property

1.1. This Act does not apply to

- (a) any property of the Government of Nunavut or of a public agency;
or
- (b) Commissioner's lands as defined in the *Commissioner's Lands Act*.

(8) Section 2 of the *Wages Recovery Act* is amended

- (a) by renumbering it as subsection 2(1);**
- (b) in subsection (1) by replacing "This Act" with "Subject to subsection (2), this Act"; and**
- (c) adding the following after subsection (1):**

Exception

(2) This Act does not apply to

- (a) the Government of Nunavut or a public agency; or
- (b) other employers of persons employed in the public service.

(9) The following is added after section 1 of the *Warehouse Keepers Lien Act*:

No lien on public property

1.1. This Act does not apply to any property of the Government of Nunavut or of a public agency.

Coordinating amendments

148. On the later of Assent to the *Mental Health Act*, introduced as Bill 36 in the Second Session of the Fifth Legislative Assembly, and section 154 of this Act coming into force, subsections 76(3) and 78(4) of that Act are repealed.

149. On the later of Assent to the *Medical Profession Act*, introduced as Bill 35 in the Second Session of the Fifth Legislative Assembly, and section 154 of this Act coming into force,

- (a) subsection 43(2) of that Act is repealed; and**
- (b) subsection 43(1) of that Act is renumbered as section 43.**

150. If Bill 29 of the Second Session of the Fifth Legislative Assembly is removed from the orders of the Legislative Assembly without receiving Assent, paragraph (g) of the definition of "holiday" in subsection 1(1) of this Act is repealed on the later of

- (a) Assent to this Act; and
- (b) the day that Bill is removed from the order of the Legislative Assembly.

Repeals – general

151. The *Interpretation Act*, R.S.N.W.T. 1988,c.I-8, and the regulations made under it, are repealed.

152. The *Public Printing Act*, R.S.N.W.T. 1988,c.P-15, and the regulations made under it, are repealed.

153. The *Statute Revision Act*, S.N.W.T. 1996,c.16, is repealed.

154. The *Statutory Instruments Act*, R.S.N.W.T. 1988,c.S-13, and the regulations made under it, are repealed.

Repeals – unilingual English-language Acts still in force

155. (1) Subject to subsection (2), the following are repealed:

- (a) all provisions indicated as not having been repealed in Schedule B to the Report of the Statute Revision Commissioner included as an Appendix to the *Revised Statutes of the Northwest Territories, 1988*, which were duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada) and that have not otherwise been repealed prior to the coming into force of this section;
- (b) all Acts listed in Schedule C to the Report of the Statute Revision Commissioner included as an Appendix to the *Revised Statutes of the Northwest Territories, 1988* which were duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada) and that have not otherwise been repealed prior to the coming into force of this section;
- (c) paragraph 18(1)(g), subsection 21(19) and section 21.2 of the *Interpretation Act*, R.S.N.W.T. 1974,c.I-3, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada).

(2) Subsection (1) does not affect the validity of Acts contained in the *Revised Statutes of the Northwest Territories, 1988*, including its supplements, which were duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada).

Coming into force

156. (1) Subject to this section, this Act comes into force on a day to be fixed by order of the Commissioner in Executive Council.

(2) Sections 148 to 150 come into force on Assent.

(3) Subsection 46(2) may not come into force before the day on which a Minister tables in the Legislative Assembly a policy of the Government of Nunavut on the development of statements under that subsection that includes provisions requiring those statements to be prepared or reviewed by a person having qualifications that are stated in the policy.

SCHEDULE

Subsection 25(2)

REFERENCES TO ENACTMENTS

1. In this Schedule,

"*ch*" is to be replaced by the chapter number of an enactment;

"*rn*" is to be replaced by the registration number of a regulation;

"*year*" is to be replaced by the year an enactment was enacted, consolidated or revised.

2. The following abbreviations may be used to refer to enactments of Nunavut:

ACTS	
Formula	Usage
S.Nu. <i>year,c.ch</i>	Used in the citation of an Act that is included in an annual volume of statutes of Nunavut.
R.S.N.W.T 1988, <i>c.ch</i>	Used in the citation of an Act that was enacted by the Legislative Assembly of the Northwest Territories, included in the 1988 statute revision and, on April 1, 1999, <ul style="list-style-type: none"> (a) duplicated for Nunavut by section 29 of the <i>Nunavut Act</i> (Canada); or (b) amended for Nunavut pursuant to section 76.05 of the <i>Nunavut Act</i> (Canada).
S.N.W.T. <i>year,c.ch</i>	Used in the citation of an Act that was enacted by the Legislative Assembly of the Northwest Territories after December 31, 1987 and, on April 1, 1999, <ul style="list-style-type: none"> (a) duplicated for Nunavut by section 29 of the <i>Nunavut Act</i> (Canada); (b) amended for Nunavut pursuant to section 76.05 of the <i>Nunavut Act</i> (Canada); or (c) enacted for Nunavut pursuant to section 76.05 of the <i>Nunavut Act</i> (Canada).
C.S.Nu., <i>c.ch</i>	Used in the citation of an Act that is consolidated and published in as part of the Consolidated Statutes of Nunavut in accordance with this Act, whether the Act was originally enacted as a Statute of Nunavut, a Revised Statute of the Northwest Territories 1988 or a Statute of the Northwest Territories.
R.S.Nu. <i>year,c.ch</i>	Used in the citation of an Act that is revised and approved by the Legislative Assembly in accordance

	with this Act for the year in which the Act was approved.
REGULATIONS	
Formula	Usage
R.Nu. <i>rn</i>	Used in the citation of a new or amending regulation that is registered in accordance with this Act.
C.R.Nu. <i>rn</i>	Used in the citation of a regulation that is consolidated and published in accordance with this Act.
R.R.Nu. <i>rn</i>	Used in the citation of a regulation that is revised and registered in accordance with this Act.
R.R.N.W.T. 1990, <i>c.ch</i>	Used in the citation of a regulation that was made in the Northwest Territories, included in the 1990 regulation revision and, on April 1, 1999, duplicated for Nunavut by section 29 of the <i>Nunavut Act (Canada)</i> .
N.W.T.Reg. <i>rn</i>	Used in the citation of a regulation that was made and registered in the Northwest Territories after December 31, 1989 and, on April 1, 1999, duplicated for Nunavut by section 29 of the <i>Nunavut Act (Canada)</i> .